

7 JULY 2022

APPEAL DECISIONS, CURRENT PLANNING APPEALS AND ENFORCEMENTS

Report of the Deputy Chief Executive

1. MATTER FOR CONSIDERATION

- 1.1 This report summarises recent appeal decisions, lists current planning appeals and dates for local inquiries and informal hearings, progress upon authorised enforcement action set out by area committee.

2. INFORMATION

- 2.1 The appeal decisions, details of current appeals and current enforcement action for each committee area are appended.

3. RECOMMENDATION

- 3.1 That the report be noted.

BACKGROUND PAPERS

There are no background papers.

Anyone with enquiries relating to planning appeals should telephone the named officer relating to the relevant appeal Anyone with enquiries relating to enforcement activity should contact Dave Westhead on 0161 474 3520

AGENDA ITEM

PLANNING APPEALS

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	1 March 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	78 Bramhall Lane South, Bramhall
Proposal	Appeal against the refusal of planning permission single storey side extension, reinstatement of the pedestrian side entrance back to Bramhall Lane South, reinstatement of the front/main entrance to the property onto the front (west) elevation, reinstatement of the original entrance porch structure to the front (west) elevation, construction of a raised patio to the south of the new side extension.
Case Officer	Sophie Anderson
Appeal Decision	Allowed

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	3 February 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Grass verge off Hillbrook Road, Bramhall
Proposal	Appeal against the refusal of planning development rights for the installation of 20m high Hutchison Engineering phase 5 street pole, 2 No shroud antennas, 2 No 0.3m dishes.3 No equipment cabinets and ancillary equipment thereto.
Case Officer	Sophie Anderson
Appeal Decision	Allowed

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	16 March 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	80 Swann Lane, Cheadle Hulme
Proposal	Appeal against the refusal of planning development for a dormer loft conversion
Case Officer	Mark Shaw
Appeal Decision	Allowed

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	3 May 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	11 Maple Avenue, Cheadle Hulme
Proposal	Appeal against the refusal to grant a certificate for a small rear extension to the rear living room
Case Officer	Callum Coyne
Appeal Decision	Pending

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	25 May 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	40 North Park Road, Bramhall
Proposal	Appeal against the refusal of planning permission for the erection of a two storey side/rear extension & single storey front and rear extensions.
Case Officer	Sophie Anderson
Appeal Decision	Dismissed

AREA COMMITTEE: CENTRAL STOCKPORT	
Appeal date	17 December 2021
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	3 College Close, Heaviley
Proposal	Appeal against refused planning permission for the demolition of a conservatory and the erection of an orangery with lantern roof and bi-folding doors to the front of the orangery and a UPVC double glazed window to the side elevation.
Case Officer	Callum Coyne
Appeal Decision	The appeal is allowed and planning permission is granted for demolition of conservatory and erection of orangery with lantern roof and bi-folding doors to the front of the orangery and a Upvc double glazed window to the side elevation at 3 College Close, Heaviley, Stockport, SK2 6TJ in accordance with the terms of the application, Ref DC/081574, dated 18 June 2021, and the plans submitted with it.

AREA COMMITTEE: CENTRAL STOCKPORT	
Appeal date	11 February 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	120 Edgeley Road, Stockport
Proposal	Appeal due to the failure to give notice within the appropriate period for the erection of 3 dwellings
Case Officer	Chris Smyton
Appeal Decision	Dismissed

AREA COMMITTEE: CENTRAL STOCKPORT	
Appeal date	23 March 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	291 Wellington Road North
Proposal	Appeal against the refusal of planning permission for a change of use from E(e) provision of medical or health services to C3 dwellinghouse with rear dormer window and new boundary treatments around site boundary
Case Officer	Chris Smyton
Appeal Decision	Dismissed

AREA COMMITTEE: CENTRAL STOCKPORT	
Appeal date	16 June 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	90 Ellwood Road, Stockport
Proposal	Appeal against the refusal of planning permission for 2 proposed dwellings to the side of existing property
Case Officer	Aimee Whitehead
Appeal Decision	Pending

AREA COMMITTEE: CENTRAL STOCKPORT	
Appeal date	21 June 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	4A The Crescent, Davenport
Proposal	Appeal against the refusal of planning permission for alterations to existing roof including the addition of rear dormers
Case Officer	Anthony Smith
Appeal Decision	Pending

AREA COMMITTEE: CHEADLE

Appeal date	15 December 2021
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	118 Lavington Avenue, Cheadle
Proposal	Appeal against refused planning permission for a 2 storey side extension single storey rear extension and single storey front extension
Case Officer	Chris Smyton
Appeal Decision	Dismissed

AREA COMMITTEE: CHEADLE

Appeal date	27 April 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	8 Mendip Close, Heald Green
Proposal	Appeal against refused planning permission for a single-storey side and rear extension with associated external patio area, amendments to existing single storey extension, and insertion of new first floor window with Juliet balcony
Case Officer	Billy Whitehead
Appeal Decision	Allowed

AREA COMMITTEE: CHEADLE

Appeal date	27 April 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	53 Brookfield Road, Cheadle
Proposal	Appeal due to the failure to give notice within the appropriate period for the erection a single storey/rear pitched roof.
Case Officer	Billy Whitehead
Appeal Decision	Pending

AREA COMMITTEE: CHEADLE

Appeal date	29 April 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	246 Kingsway, Gatley
Proposal	Appeal against the refusal of planning permission for the erection of a Summer family hall and shading area
Case Officer	Billy Whitehead
Appeal Decision	Dismissed

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	4 May 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	11 Hooley Range Heaton Moor
Proposal	Appeal against the refusal of planning permission for the retention of a domestic garden outbuilding
Case Officer	Rachel Bottomley
Appeal Decision	Pending

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	10 February 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Unit 3 Demeter Buildings Brighton Road
Proposal	Appeal against the refusal of planning permission for the installation of razor wire onto existing roof profile a the erection of cladding screening alongside elevationfacing residential properties
Case Officer	Jeni regan
Appeal Decision	Dismissed

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	20 June 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	1 Tarvin Avenue, Heaton Chapel
Proposal	Appeal against the refusal of planning permission to renew a 6 ft timber fence and gate to the side of the property and to erect a 6 ft timber fence with concrete posts to the remainder side of the property and to the front including entrance gate.
Case Officer	Rachel Bottomley
Appeal Decision	Pending

AREA COMMITTEE: MARPLE

Appeal date	23 April 2020
Appeal Procedure	Public Inquiry
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	The Garden House, Lakes Road Marple
Proposal	Appeal against the refusal of planning permission for the change of use of land to a mixed use consisting of an urban farm and educational facility together with the retention of associated buildings structures and parking areas (retrospective).
Case Officer	Mark Jordan
Appeal Decision	<p>Appeal is linked to enforcement appeal for the same site and will be dealt with as one appeal.</p> <p>Virtual and Physical Inquiry set for Tuesday 18th January 2022 through to and including Tuesday 25th. Inquiry Postponed new date 26 April 2022 for 5 days.</p> <p>Discussions are continuing to progress with interested 3rd parties with regards to the agreement of draft planning conditions and the related S106 Legal Agreement. Subject to the completion of these outstanding matters and the issuing of any planning approval notice, it would be expected that the Public Inquiry scheduled with the Planning Inspectorate would no longer take place.</p>

AREA COMMITTEE: MARPLE

Appeal date	19 April 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	The Beeches, Hollyvale Marple Bridge
Proposal	Appeal against the refusal of planning permission for the construction of a cantilever with a steel substructure to extend the existing garage plinth at floor level by two and a half metres into the properties curtilage. Move the existing sectional concrete double garage back into the curtilage thus revealing a parking space on the existing garage floor. (Alterations to the existing detached garage).
Case Officer	Anthony Smith.
Appeal Decision	Pending.

AREA COMMITTEE: STEPPING HILL

Appeal date	5 January 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Hazel Grove Railway Station, Station Road Hazel Grove
Proposal	Appeal against the refusal to grant a certificate of lawful use or development
Case Officer	Helen Hodgett
Appeal Decision	Dismissed.

AREA COMMITTEE: STEPPING HILL

Appeal date	31 May 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	15 Ellwood Road, Offerton
Proposal	Appeal against the refusal of planning permission for a double storey side extension
Case Officer	Dominic Harvey
Appeal Decision	Pending

AREA COMMITTEE: STEPPING HILL

Appeal date	16 June 2022
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	White House Farm Torkington Road
Proposal	Appeal against the refusal of planning permission for the conversion of an existing barn to form 1 No Dwelling with associated demolition, extension, external alterations, access, parking and curtilage.
Case Officer	Mark Burgess
Appeal Decision	Pending

AREA COMMITTEE: WERNETH

NONE CURRENT

ENFORCEMENT APPEALS

AREA COMMITTEE: CENTRAL STOCKPORT

NONE CURRENT

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	30 July 2019
Appeal Procedure	Written Representations
Location	21 Ogden Road, Bramhall
Proposal	Without the benefit of planning permission the removal of wooden window frames to the front elevation of the property and the replacement of them with UPVC frames.
Case Officer	Amanda Hopkins
Appeal Decision	<p>PINS Decision :</p> <p>The enforcement notice be varied in the first sentence of paragraph 5. 2) by the deletion of the wording “side hinged” and the insertion of the word “frame” between the words “window” and “design”.</p> <p>The enforcement notice be varied in the second sentence of</p>

	<p>paragraph 5. 2) by the deletion of the wording “to replicate the original design as shown in Photo C”.</p> <p>Subject to the variations above, the appeal is dismissed, the enforcement notice upheld and planning permission is refused on the application deemed to have been made under section 177 (5) of the 1990 Act as amended.</p> <p>Prosecution was being considered but residents have now confirmed that they will comply with the Enforcement Notice. Being monitored.</p> <p>Prosecution, court date on 14 February 2022 an adjournment for 3 months had previously been agreed with the defendants representative the court agreed to adjourn the matter to the next available date.</p> <p>Case adjourned to 16 June 2022.</p> <p>Awaiting court update.</p>
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AREA COMMITTEE: CHEADLE

Appeal date	
Appeal Procedure	Court Hearing
Location	Breach of Planning Control at the former Standard Chemicals site at Mill Lane, Cheadle
Case Officer	Dave Westhead
Appeal Decision	<p>It transpired that Remediation of the site had not been provided which invalidated the planning permission for the development. Following protracted correspondence between the Council and the applicant, an application for an injunction was made to oblige the applicant to cease development and submit a planning application. A Court Order was obtained on 17 December 2019 requiring the applicant to submit a validated planning application by 1 July 2020. Due to the pandemic the Council granted an extension of time to 26 August 2020 and a further extension of time was then granted which will expire on 16 November 2020. Defendants have filed with the High Court to extend compliance period with injunction. Court date set for 28/5/21.</p> <p>At the hearing on 28 May, the defendant's applications to dismiss the claim against him, and to grant a further extension of time to comply with the Court Order requiring the submission of a planning application in respect of the former Standard Chemicals site at Mill Lane, were both dismissed by the Judge.</p>

	<p>The Council was awarded costs in the sum of £21,238</p> <p>The defendant's representative indicated that his client would be seeking leave to appeal (which needs to be done by 25 June) but the Council has not had any notification of that. Appeal has been made to the Court of Appeal Civil Division, Court has not yet considered the appeal to see if it will be allowed to go ahead. The Council has no indication given court backlogs of when we will receive notification.</p>
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Appeal date	29 March 2021
Appeal Procedure	Written Representations
Location	5 Mona Avenue, Heald Green
Proposal	Without the benefit of planning permission the material change in the use of the land from a dwellinghouse to a mixed use as a dwellinghouse and a use for the repair of motor vehicles.
Case Officer	Amanda Hopkins
Appeal Decision	<p>Appeal dismissed on 20/7/2021 notice now effective and must be complied with by 20/10/2021</p> <p>Site visit pending. Information received that notice may be being breached.</p> <p>Observations are being conducted to gain evidence for a prosecution.</p>

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	9 September 2021
Appeal Procedure	Written Representations
Location	8 Edale Avenue, North Reddish
Proposal	Without the benefit of planning permission the erection of a 2 storey side extension to the property
Case Officer	Debbie Whitney
Appeal Decision	Appeal withdrawn Variation notice issued to extend compliance period to 9 months.

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	17 January 2022
Appeal Procedure	Written Representations
Location	2 Houldsworth Square, Reddish
Proposal	Without the benefit of planning permission the erection of a enlarged roof terrace with metal railings around the perimeter
Case Officer	Dave Westhead
Appeal Decision	Dismissed

AREA COMMITTEE: MARPLE

Appeal date	4 March 2022
Appeal Procedure	Written Representations
Location	Land on the North side of Chatterton Lane, Mellor
Proposal	Without the benefit of planning permission the construction of a wooden building on the land.
Case Officer	Dave Westhead
Appeal Decision	Pending

AREA COMMITTEE: MARPLE

Appeal date	22 August 2017
Appeal Procedure	Public Inquiry
Location	The Garden House, Lakes Road Marple
Proposal	Without the benefit of planning permission, the material change in the use of land to a visitor attraction including the formation of hard surfaced areas; provision of wooden buildings for uses in connection with the visitor attraction including (but not limited to) toilet facilities, café, stables, community rooms, animal housing & storage; shipping containers; goods vehicle bodies, play equipment and a mobile home.
Case Officer	Dave Westhead
Appeal Decision	<p>Following the refusal of the retrospective planning application on the above site the Council has fully considered its options and as a result it will be withdrawing the current enforcement notice and serving a new notice which address all breaches of planning control, including further breaches which have occurred since the service of the notice. Appeal is linked to appeal against refusal of planning permission for the same site and will be dealt with as one appeal.</p> <p>Request by both parties sent to PINS that the inquiry date should be set for no earlier than July 2021.that inquiry will be held remotely. Inquiry date set for 6 July 2021. Inquiry postponed. Case management meeting set for 6 July. The matter is now set for a public inquiry in on Tuesday 18 January 2022 through to Tuesday 25 January 2022. Inquiry postponed new date 26 April 2022 for 5 days.</p>

	Discussions are continuing to progress with interested 3 rd parties with regards to the agreement of draft planning conditions and the related S106 Legal Agreement. Subject to the completion of these outstanding matters and the issuing of any planning approval notice, it would be expected that the Public Inquiry scheduled with the Planning Inspectorate would no longer take place.
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AREA COMMITTEE: STEPPING HILL

Appeal date	13 May 2022
Appeal Procedure	Written Representations
Location	61 Chester Road, Hazel rove
Proposal	Without the benefit of planning permission the insertion of 3 dormer windows on the roof of a detached garage
Case Officer	Dave Westhead
Appeal Decision	Pending

ENFORCEMENT NOTICES

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH	
Action	Enforcement Notice Served
Location	67 Earle Road, Bramhall
Description	Unauthorised 2nd floor rear extension
Case Officer	Amanda Hopkins
Notice Served Date	10 th July 2018
Compliance Date	<p>28th February 2019. Following dismissal of a planning appeal concerning the same property, compliance date now 30/4/19. Notice not complied with, prosecution file being prepared. Appeal against refusal of planning permission dismissed, notice not complied. Prosecution proceeding – not guilty plea entered. Court date 25 February 2021. Trial date set for 12 July 2021. Defendant failed to appear at Tameside Magistrates Court, case proved in his absence and found guilty. Adjourned to 9/9/2021 for sentencing when the defendant is required to attend.</p> <p>Defendant attended on 9 September 2021 and claimed that he could not have attended court on 12 July 2021 as he had Covid but produced no evidence to that affect. On application the magistrates set aside the conviction and the matter is now listed for trial on 2 December 2021.</p> <p>Defendant has informed court that he has Covid, and as a result the case will be adjourned new date not yet known.</p> <p>Case adjourned until 14/2/22.</p> <p>Owner of the property attended Tameside Magistrates Court and pleaded guilty and requested an adjournment for sentencing during which time he will complete the required works.</p> <p>Sentence hearing on 21 April 2022.</p>

	<p>The owner attended at Magistrates Court again last week and pleaded guilty. He was awarded fine as follows:</p> <ul style="list-style-type: none"> - Fine: £405. - £40 statutory surcharge - Council Costs: £4,950 <p>Total £5,395.</p> <p>Notice to be complied with by 1/9/22 or further legal action,</p>
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Action	Enforcement Notice Served
Location	34 Old Wool Lane, Cheadle Hulme
Description	Without the benefit of planning control the construction of a fence over 1 meter in height adjacent to the highway.
Case Officer	Amanda Hopkins
Notice Served Date	10 March 2022
Compliance Date	Notice complied with, fence reduced to 1 metre in height.

Action	Enforcement Notice Served
Location	21 Ogden Road, Bramhall
Description	Without the benefit of planning control the removal of wooden window frames to the front elevation of the property and the replacement of them with UPVC frames.
Case Officer	Amanda Hopkins
Notice Served Date	11 February 2019
Compliance Date	<p>11 March 2020 Appeal submitted.</p> <p>PINS Decision :</p> <p>The enforcement notice be varied in the first sentence of paragraph 5. 2) by the deletion of the wording “side hinged” and the insertion of the word “frame” between the words “window” and “design”.</p> <p>The enforcement notice be varied in the second sentence of paragraph 5. 2) by the deletion of the wording “to replicate the original design as shown in Photo C”.</p> <p>Subject to the variations above, the appeal is dismissed, the enforcement notice upheld and planning permission is refused on the application deemed to have been made under section 177 (5) of the 1990 Act as amended.</p> <p>Prosecution was being considered but residents have now confirmed that they will comply with the Enforcement Notice. Being monitored.</p> <p>Prosecution, court date on 14 February 2022 an adjournment for 3 months had previously been agreed with the defendants representative the court agreed to adjourn the matter to the next available date.</p> <p>Case adjourned to 16 June 2022.</p> <p>Awaiting court result.</p>

AREA COMMITTEE: CENTRAL STOCKPORT	
Action	Enforcement Notice Served
Location	287 Wellington Road South, Heaviley
Description	Untidy Land
Case Officer	Dave Westhead
Notice Served Date	19th December 2016
Compliance Date	<p>The owners of the land are subject to a freezing order on their accounts under the provisions of the Proceeds of Crime Act. At this time the Crown Prosecutor will not allow any funds to be released to carry out works to building. They therefore have a defence to any prosecution in that the actions of a 3rd party are preventing compliance. Council is investigating options to deal with the condition of the building. Totally Local Company providing quote to deal with vegetation.</p> <p>Vegetation has been removed from the roof..</p>

Action	Enforcement Notice Served
Location	Flat 2, 3 The Grove Cale Green
Description	Without the benefit of planning control the erection of a garage to the front of the property
Case Officer	Debbie Whitney
Notice Served Date	11 October 2021
Compliance Date	<p>11 February 2022</p> <p>Site visit scheduled for 13 April.</p>

	<p>Occupier is unresponsive to contact from Council and Landlord, Landlord will be complying with notice, to allow for him to obtain contractors compliance extended to 14/5/2022</p> <p>The notice was not complied with and as a result a prosecution file has been prepared and forwarded to Legal Services to prepare a summons and obtain a first court date.</p>
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Action	Enforcement Notice Served
Location	23 Kent Avenue
Description	Without the benefit of planning control the erection of a single storey extension at the rear of the property consisting of timber frame and plastic roofing, and the increased height to 2 sides of the existing fenced boundaries at the property to exceed 2 metres in height.
Case Officer	Debbie Whitney
Notice Served Date	29 November 2021
Compliance Date	<p>27 February 2022.</p> <p>Site visit scheduled for 30 March.</p> <p>Notice complied with.</p>

AREA COMMITTEE: CENTRAL STOCKPORT

Action	Breach of Condition Notice Served
Location	Units 8 To 11 (inclusive), Lindsays Industrial Estate, Oakfield Road, Davenport,
Description	The failure to comply with condition 2 of planning permission DC/072964 which states:- The approved containers and refuse storage and associated approved screening shall be removed from the site and the land cleared and restored no later than 07 June 2020, in accordance with details to be first approved in writing with the local planning authority.
Case Officer	Debbie Whitney
Notice Served Date	27 January 2021
Compliance Date	<p>27 June 2021, work to construct building has commenced on site. As such amenity issues will be resolved. Site to be monitored. Not complied with, prosecution being prepared.</p> <p>1st Court date 16/12/21 Tameside Magistrates Court.</p> <p>Guilty plea entered fined £1330, £350 costs & £133 victim surcharge. Notice still not complied with letter sent to notify to comply by 21/1/22 or further prosecution. Notice not complied with, second prosecution file being prepared. Council will prosecute on a daily basis following conviction fine is a maximum of 1/10th of maximum fine per day i.e. £250 per day.</p> <p>Notice complied with.</p>

AREA COMMITTEE: CENTRAL STOCKPORT	
Action	Temporary Stop Notice
Location	Land at Evron Centre, 1 Adswood Lane West, Cale Green, Stockport SK3 8HT
Description	Without the benefit of planning permission the carrying out of development and engineering works to a property and grounds which lie within the Cale Green Conservation Area, consisting of the installation of UPVC french doors to the first floor, partial construction of brick columns outside those doors and groundworks using mechanical equipment.
Case Officer	Debbie Whitney
Notice Served Date	18 June 2021
Compliance Date	<p>Notice complied with and work ceased, Council considering options. Owners to be formally interviewed under caution for possible offences relating to trees in a Conservation Area</p> <p>Development has ceased. Owners have been formally interviewed regarding the felling of a protected tree and all evidence is being evaluated to prepare a prosecution file.</p> <p>File will be compiled and passed to Legal in January 2022.</p> <p>Application received, currently invalid.</p> <p>File with legal for unauthorised works to protected trees</p>

AREA COMMITTEE: CHEADLE

Action	S 215 Notice Served
Location	73 Crossefield Road, Cheadle Hulme
Description	Land detrimental to the amenity of the area
Case Officer	Amanda Hopkins
Notice Served Date	2 July 2020
Compliance Date	<p>28 December 2020. Pending appeal in relation to 108 further action paused pending appeal decision as issues are similar. Following withdraw of appeal at 108 owner to be written to and required to comply within 3 months.</p> <p>Not complied with prosecution file with Legal</p> <p>Awaiting 1st court date Summonses prepared, however property now boarded up and no way to serve. Alternate address identified and Council will use a process server to ensure service is carried out.</p> <p>Prosecution on 28 February 2022 Case was proved in the defendants absence. £500 fine, VSC £15 and costs of £1110.22 payment within 28 days</p>

AREA COMMITTEE: CHEADLE	
Action	Enforcement Notice Served
Location	5 Mona Avenue, Heald Green
Description	Without the benefit of planning permission the material change in the use of the land from a dwellinghouse to a mixed use as a dwellinghouse and a use for the repair of motor vehicles.
Case Officer	Amanda Hopkins
Notice Served Date	22 January 2021
Compliance Date	<p>20 May 2021. Appeal submitted.</p> <p>Appeal dismissed compliance by 21/10/2021 Site visit pending.</p> <p>Information received that the notice may be being breached officers carrying out visits/observations to gather evidence.</p>

Action	Breach of Condition Notice Served
Location	Barnes Hospital (now Barnes Village) Cheadle
Description	Breach of condition notice for failure to carry out maintenance of landscaping
Case Officer	Dave Westhead
Notice Served Date	20 August 2021
Compliance Date	20 October 2021 Work ongoing and being monitored. Notice complied with, monitoring to ensure maintenance is carried out.
AREA COMMITTEE: CHEADLE	

Action	Breach of Condition Notice Served
Location	Barnes Hospital (now Barnes Village) Cheadle
Description	Breach of condition notice for failure to replace trees that have been removed, died or are seriously diseased.
Case Officer	Dave Westhead
Notice Served Date	20 August 2021
Compliance Date	20 February 2022 Response from developer expected 29 March. Prosecution file being prepared.

AREA COMMITTEE: CHEADLE	
Action	Tree replant notice
Location	43 Ashfield Road, Cheadle
Description	Felling of a tree subject to a Tree Preservation Order without the written consent of the Council
Case Officer	Amanda Hopkins
Notice Served Date	Notice to take effect on 5 November 2021
Compliance Date	Complied with

Action	Tree replant notice
Location	1 Stonepail Cottages, Gatley
Description	Unauthorised felling of protected trees within Gatley Village Conservation
Case Officer	Amanda Hopkins
Notice Served Date	Notice to take effect on 5 November 2021
Compliance Date	Notice complied with.

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	7 Peel Moat Road, Heaton Moor
Description	Reinstatement of boundary gates within a Conservation Area.
Case Officer	Amanda Hopkins
Notice Served Date	28 October 2019
Compliance Date	<p>Compliance by 28 February 2020. Notice not complied with but extension allowed due to Covid-19 situation. Owner has demonstrated he has quotes from several specialists to manufacture new gates. If notice not complied with within approx. one month a prosecution will be considered.</p> <p>Given the high number of new and continuing cases a prosecution will be considered in 2021. Property has been sold and new owner has contacted the Council. He is aware that the notice is in place and that he is liable for compliance. He will deal with this as a priority.</p> <p>Work not carried out prosecution file submitted to legal.</p> <p>Defendant did not attend court on 14 February 2022. Clerk noted letter and witness statement provided in December requested 3 months adjournment and court had adjourned for only 2. Court not prepared to proceed in the defendant's absence today and case adjourned for him to attend next time. Action -Court to send out adjournment notice and SMBC to write to defendant too.</p>

AREA COMMITTEE: HEATONS & REDDISH

Location	8 Edale Avenue, North Reddish
Description	Without the benefit of planning permission the erection of a two storey side extension to the dwellinghouse
Case Officer	Debbie Whitney
Notice Served Date	9 August 2021
Compliance Date	<p>11 July 2022</p> <p>Appeal withdrawn Variation notice issued to extend the compliance period to 9 months</p> <p>They have now engaged a planning agent who is working with Council and will be submitting a planning application for alterations to the extension to comply with Council policies. If granted Council will vary notice to require the extension to be removed, or to be completed in accordance with the approved plans.</p>

AREA COMMITTEE: HEATONS & REDDISH	
Location	2 Houldsworth Square, North Reddish
Description	Unauthorised development by way of an enlarged roof terrace that has been created including the erection of metal railing around the perimeter.
Case Officer	Dave Westhead
Notice Served Date	22 November 2021
Compliance Date	<p>20 February 2022. Appeal submitted.</p> <p>Start letter received, Councils statement to be submitted to Inspectorate by 28th February. Decision expected in June/July subject to PIN's delays.</p> <p>Appeal dismissed – Notice to be complied with by 15/9/22</p>

AREA COMMITTEE: HEATONS & REDDISH	
Location	72 Longford Road West
Description	Demolish the rear conservatory; Remove all materials and waste caused by the demolition of the conservatory, from the land; Rebuild any part of the rear wall of the dwellinghouse which may have been affected by the erection of the conservatory using bricks and mortar that is a match for the dwellinghouse; or Carry out the development in full and complete accordance with planning permission DC/082217.
Case Officer	Debbie Whitney
Notice Served Date	Variation Notice served 10/11/21
Compliance Date	9 May 2022 Notice complied with.

AREA COMMITTEE: HEATONS & REDDISH	
Location	1 Tarvin Avenue, Heaton Chapel
Description	Without the benefit of planning permission the construction of a fence and gates over 1 metre in height adjacent to the highway used by vehicular traffic
Case Officer	Dave Westhead
Notice Served Date	12 May 2022
Compliance Date	9 September 2022 Notice complied with.

Location	Units 1 & 2 Demeter Buildings, Brighton Road Heaton Mersey
Description	Without the benefit of Planning Permission the provision of extraction fluesto the building.
Case Officer	Debbie Whitney
Notice Served Date	Enforcement Notice and Stop Notice served 15/12/21
Compliance Date	Stop Notice immediate. Enforcement Notice 15 April 2022.

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	Land at Lakes Road, Marple (The Garden House),
Description	Without the benefit of planning permission, the material change in the use of land to a visitor attraction including the formation of hard surfaced areas; provision of wooden buildings for uses in connection with the visitor attraction including (but not limited to) toilet facilities, café, stables, community rooms, animal housing & storage; shipping containers; goods vehicle bodies, play equipment and a mobile home.
Case Officer	Dave Westhead
Notice Served Date	13 th June 2017
Compliance Date	Following the refusal of the retrospective planning application on the above site the Council has fully considered its options and as a result it will be withdrawing the current enforcement notice

and serving a new notice which address all breaches of planning control, including further breaches which have occurred since the service of the notice.

UPDATE New notice served 31/10/18 requiring compliance of the following steps:-

1. Cease the use of the land as a visitor attraction/urban farm and educational facility.
2. Dismantle and remove from the land all buildings, except for the remains of the Garden House.
3. Remove all hard surfaces constructed to support or be used as floors for the buildings from the land
4. Remove from the land all shipping containers and goods vehicle bodies
5. Remove the building consisting of a wooden clad mobile home from the land including all decking steps and other external ancillary structures used to facilitate the use of it.
6. Remove all play equipment and the zip wire from the land
7. Remove all pipework, wiring or other equipment used to supply water to the buildings on the land, remove waste or foul water from the buildings or supply gas or electricity to the buildings from the land
8. Remove from the land all storage tanks used to store fresh or foul water including all ancillary structures used to support or contain the tanks.
9. Remove from the land all tanks used to store fuel oil or other liquids including all ancillary structures used to support or contain the tanks.
10. Remove from the land all gas bottles
11. Remove from the land (both the upper and lower levels) and dispose of at a licenced waste disposal site all materials including (but not limited) to cold planings used to create hard surface areas.
12. Break up the soil in the areas where the materials used to form the hard surface have been removed from and seed with a meadow grass mixture
13. Remove all advertisements relating to the Garden House and/or its use as a visitor attraction.

TIME FOR COMPLIANCE:

- Steps 1 & 13 31st December 2018.
- Steps 2 to 12 31st May 2019.

	<p>Inquiry set for Tuesday 18th January 2022 through to and including Tuesday 25th Inquiry postponed new date 26 April 2022 for 5 days.</p> <p>Discussions are continuing to progress with interested 3rd parties with regards to the agreement of draft planning conditions and the related S106 Legal Agreement. Subject to the completion of these outstanding matters and the issuing of any planning approval notice, it would be expected that the Public Inquiry scheduled with the Planning Inspectorate would no longer take place.</p>
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AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	4 Goyt Avenue, Marple
Description	Without the benefit of planning permission, the installation of a solid galvanised roller shutter door, boxed housing and rails to the entrance door and windows
Case Officer	Dave Westhead
Notice Served Date	21 December 2021
Compliance Date	<p>21 March 2022. Developer given one final opportunity to comply by 28/4/22 or prosecution.</p> <p>The final date for removal before the Council commenced a prosecution was 4th May 2002 an email has been received from the owner confirming that he will be removing the roller shutter door and replacing it with an internal roller shutter, the installers are attending on 20th May to carry out the work. The Council has therefore agreed to extend the compliance period to 4pm on 20th May. Notice complied with.</p>

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	4 Field Close, Marple
Description	Without the benefit of planning permission, the construction of a fence over 1 metre in height adjacent to the highway
Case Officer	Dave Westhead
Notice Served Date	10 March 2022
Compliance Date	Notice complied with

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	Land on the North side of Chatterton Lane, Mellor
Description	Without the benefit of planning permission the construction of a wooden building on the land
Case Officer	Dave Westhead
Notice Served Date	4 March 2022
Compliance Date	August 2022 Appeal Submitted.

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	Land at Holly Head, Hollywood Road Mellor
Description	Without the benefit of planning permission the material change in the use of the land to a residential use including the construction of a building in use as a dwellinghouse.
Case Officer	Dave Westhead
Notice Served Date	23 February 2022
Compliance Date	3 Years

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	144 Stockport Road, Marple
Description	Without the benefit of planning permission the construction of a hard surfaced area to the front of 144 Stockport Road, Marple, Stockport to facilitate a vehicle access/parking area from a classified road.
Case Officer	Dave Westhead
Notice Served Date	20 June 2018
Compliance Date	<p>Initially 22 October 2018 however following committal of developer to prison for 9 months following conviction for benefit fraud period to be extended to allow 2 months after release. Letter giving 2 months sent on 4/2/19 compliance is therefore 4/4/19. Council to follow up and report for next committee. Notice not complied with. Prosecution file prepared. Case to be heard at Warrington Magistrates Court on 04/10/19. Not guilty plea entered and defendant has elected Crown Court Trial. Plea and direction hearing at Liverpool Crown Court 1/11/19. Case adjourned for trial at Liverpool Crown Court on 18th May 2020 (3 day trial). Now adjourned to 9th & 10th November for trial. Trial adjourned as listed as a floating trial and did not have an allocated court, no court was available due to the restricted number of courts in use. New trial date, week commencing 19 April 2021. Mrs. Howell contacted the court by video link and give medical reasons why she could not attend court. After consideration the judge has vacated the trial, given current caseloads this will now be listed for trial in February 2022. Trial date set for 28th February 2022 expected to last 3 days.</p> <p>Mrs. Howell failed to appear but had written to the court by email. Our counsel made an application to prove in her absence which was approved with full reasoning for the decision from the judge. The trial commenced in front of a jury, Mrs. Howell was found guilty of the offence. The judge has</p>

	<p>now adjourned this matter to 29th March for sentencing, as Mrs. Howell had not submitted any evidence of her means. Once sentencing has occurred we will be pursuing Mrs. Howell to finally comply with the notice.</p> <p>Sentenced on 7/4/22 - vacated from 29/3/22 as judge had covid. Judge was clear that this was a deliberate breach and attempt to ignore Council and notice. Having taken into account her means fined £350 & £350 costs. Council still pursuing compliance.</p>
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AREA COMMITTEE: WERNETH

Action	Enforcement Notice Served
Location	Land at the former National Westminster Bank, Compstall Road Romiley
Description	Without the benefit of planning permission the installation of a roller shutter & box housing and rails at the entrance door and the installation of a plastic canopy over the front door.
Case Officer	Dave Westhead
Notice Served Date	25 August 2021
Compliance Date	<p>December 2021</p> <p>Canopy removed and retractable awning fitted owner has been told to submit a retrospective planning application, new application to be submitted for shutters that meet the Councils policy. Compliance period therefore extended to 31 January 2022.</p> <p>Application submitted.</p> <p>Application granted and notice complied with.</p>

AREA COMMITTEE: WERNETH

Action	Enforcement Notice Served
Location	86A Higher Bents Lane, Bredburt
Description	Without the benefit of planning permission the construction of a 1.8m high electric sliding gate
Case Officer	Dave Westhead
Notice Served Date	8 June 2022
Compliance Date	7 October 2022

AREA COMMITTEE: STEPPING HILL

Action	Enforcement Notice Served
Location	61 Chester Road, Hazel Grove
Description	Without the benefit of planning control the insertion of 3 dormer windows on the rear roof of a detached garage
Case Officer	Dave Westhead
Notice Served Date	3 March 2022
Compliance Date	2 July 2022 Appeal Submitted.

Action	Breach of Condition Notice Served
Location	61 Chester Road, Hazel Grove
Description	The failure to comply with conditions 1 (approved plans) & 3 (removal of permitted development rights for insertion of windows, door or other openings on the southern elevation) of planning permission DC068593.
Case Officer	Dave Westhead
Notice Served Date	3 March 2022
Compliance Date	3 July 2022 Notice complied with.

