

MARPLE AREA COMMITTEE

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
NONE CURRENT

ENFORCEMENT APPEALS
NONE CURRENTS

ENFORCEMENT NOTICES

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 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>

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	83A Stockport Road, Marple
Description	Without the benefit of planning permission the material change in use of the land from a drinking establishment to a restaurant
Case Officer	Dave Westhead
Notice Served Date	22 November 2022
Compliance Date	3 April 2023 appeal submitted against refusal of planning permission, further action on notice on hold pending appeal decision.

AREA COMMITTEE: MARPLE

Action	Tree Replant Notice Served
Location	Land to the rear of 53A Lower Fold, Marple Bridge
Description	The removal of 5 Sycamore trees in the Marple Bridge Conservation Area, Replant Notice for 2 Birch Trees, 2 Rowan Trees and 1 Alder tree.
Case Officer	Dave Westhead
Notice Served Date	20 January 2023
Compliance Date	27 May 2023

AREA COMMITTEE: MARPLE

Action	Breach of Condition Notice Served
Location	138 A&B Sockport Road Marple
Description	Faiure to comply with conditions 2 (cycle parking) and 3 (car parking facilities) of planning permission DC/074448
Case Officer	Dave Westhead
Notice Served Date	9 December 2022
Compliance Date	9 February 2023. Owner has contacted the Council, cycle lockers on order, proof provided, site visit to be carried out to ensure that they are fitted. Cycle Storage fitted, notice complied with.