

PLANNING AND HIGHWAYS REGULATION 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 AND HIGHWAYS REGULATION COMMITTEE

PLANNING APPEALS

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	8 December 2023
Appeal Procedure	Inquiry 24 January 2024
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Chesters Croft, Cheadle Hulme
Proposal	Refusal to grant a certificate of lawful development for the use of land as part of a caravan site including the stationing of caravans for human habitation and use in conjunction with land on which caravans are situated
Case Officer	Chris Smyton
Appeal Decision	Pending

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	6 December 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	262 Bramhall Lane South, Bramhall
Proposal	Refusal of planning permission the erection of a new 4 bedroom dwelling on land the rear of 262 Bramhall Lane South
Case Officer	Jane Chase
Appeal Decision	Pending

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	25 January 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Land to the rear of 2A Hill Top Avenue, Cheadle Hulme
Proposal	Refusal of planning permission the erection of one new detached dwelling with creation of new access and demolition of existing detached garage at 2B Hill Top Avenue
Case Officer	Osian Perks
Appeal Decision	Pending

AREA COMMITTEE: CENTRAL STOCKPORT

Appeal date	19 September 2023
Appeal Procedure	Written Representations Householder Appeal
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	6 Clwyd Avenue, Edgeley
Proposal	Refusal of planning permission for the refurbishment and minor amendment to existing raised decking
Case Officer	Anthony Smith
Appeal Decision	Pending

AREA COMMITTEE: CENTRAL STOCKPORT

Appeal date	2 November 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Area of grass verge Ringmore Street Works, Ringmore Road Stockport
Proposal	Appeal against the refusal of prior approval of permitted development rights for a proposed 5G telecoms installation H3G 15m street pole and additional equipment cabinets
Case Officer	Osian Perks
Appeal Decision	Pending

AREA COMMITTEE: CHEADLE

Appeal date	5 May 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	3 Milton Crescent, Cheadle
Proposal	Appeal against the refusal of a lawful development certificate for a change of use from a single dwellinghouse to mixed use as a dwellinghouse and a community centre.
Helen Hodgett	Helen Hodgett
Appeal Decision	Pending

AREA COMMITTEE: CHEADLE

Appeal date	21 November 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Area of grass verge, Wilmslow Road Street Works, Wilmslow Road Cheadle
Proposal	Appeal against the refusal of prior approval of permitted development rights for a proposed 5G telecoms installation H3G 15m street pole and additional equipment cabinets
Helen Hodgett	Rebecca Whitney
Appeal Decision	Pending

AREA COMMITTEE: CHEADLE

Appeal date	14 November 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	5 Carnoustie Drive, Heald Green
Proposal	Appeal against the refusal of prior approval of permitted development rights for a proposed single storey rear extension
Helen Hodgett	Rob Farris
Appeal Decision	Pending

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	11 October 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Area of footpath, Priestnall Road, Heaton Mersey
Proposal	Refusal of prior approval of permitted development rights for a proposed 5G telecoms installation HG3 15m street pole and equipment cabinets
Case Officer	Jeni Regan
Appeal Decision	Dismissed

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	11 October 2023
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Area of grass verge, Belmont Way, Heaton Norris
Proposal	Refusal of prior approval of permitted development rights for a proposed 5G telecoms installation HG3 15m street pole and equipment cabinets
Case Officer	Jeni Regan
Appeal Decision	Pending

AREA COMMITTEE: MARPLE

Appeal date	31 January 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Bowden House, 30 Bowden Lane, Marple
Proposal	Refusal to variation condition 2 of planning permission DC013748/condition 1 of planning permission DC028534, to increase the maximum number of children from 35 to 50, via the use of the upper floor of the building as part of the Day Nursery.
Case Officer	Mark Burgess
Appeal Decision	Pending

AREA COMMITTEE: STEPPING HILL

Appeal date	1 August 2023
Appeal Procedure	Inquiry – 31 October 2023 @ 10am

Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Mirrlees Fields, Stockport
Proposal	Appeal against the refusal of planning permission for the outline planning permission proposing the erection of a residential development for up to 200 dwellings with associated landscaping, site infrastructure and the provision of new public open space
Case Officer	Jane Chase
Appeal Decision	Appeal allowed

AREA COMMITTEE: WERNETH

NONE CURRENT

ENFORCEMENT APPEALS

AREA COMMITTEE: CENTRAL STOCKPORT

Appeal date	19 September 2023
Appeal Procedure	Written Representations
Location	6 Clwyd Avenue, Stockport
Case Officer	Debbie Whitney
Proposal	Without the benefit of planning permission the erection of a raised platform (decking) over 300mm in height covering the whole rear garden of the dwellinghouse
Decision	Pending

AREA COMMITTEE: CENTRAL STOCKPORT

Appeal date	4 January 2024
Appeal Procedure	Written Representations
Location	4 Ashfield Grove, Davenport
Case Officer	Dave Westhead
Proposal	Without the benefit of planning permission the construction of a two storey rear/side extension and dormer roof extension
Decision	Pending

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

NONE CURRENT

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	Hearing took place 7 August but further applications have been made for which a court date is awaited

AREA COMMITTEE: CHEADLE

Appeal date	22 November 2023
Appeal Procedure	Written Representations
Location	29 Broadway, Cheadle appeal against an enforcement Notice served for without the benefit of planning permission the erection of a front boundary wall with railings, gates including gate posts over 1m in height adjacent to the highway.
Case Officer	Debbie Whitney
Appeal Decision	Pending

AREA COMMITTEE: HEATONS & REDDISH

Appeal date	15 November 2022
Appeal Procedure	Written Representations
Location	26 Broomfield Road, Heaton Moor
Proposal	Without the benefit of planning permission the construction of 3 dormer roof extensions to the rear of the property
Case Officer	Dave Westhead
Appeal Decision	Appeal dismissed compliance by 15 June 2024.

AREA COMMITTEE: MARPLE

NONE CURRENT

AREA COMMITTEE: STEPPING HILL

NONE CURRENT

AREA COMMITTEE: WERNETH

NONE CURRENT

ENFORCEMENT NOTICES

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Action	High Hedge Remedial Notice Served
Location	44 Carwood Road, Bramhall
Description	Hedge at 44 Carwood Road is taking light and sunlight from habitable rooms at 1 Leryn Drive
Case Officer	Dave Westhead
Notice Served Date	9 June 2023 effective on 7 July 2023
Compliance Date	2 stages stage 1 within 10 months of 7 July 2023 stage 2 within 22 months of 7 July 2023 appeal submitted

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Action	High Hedge Remedial Notice Served
Location	44 Hill Top Avenue, Cheadle Hulme
Description	Hedge at 44 Hill Top Avenue, Cheadle Hulme is taking light from the garden of 8 Dennison Road, Cheadle Hulme.
Case Officer	Dave Westhead
Notice Served Date	14 February 2023
Compliance Date	Notice becomes effective 13 March 2023 compliance by 13 March 2024. Appeal submitted. Appeal site visit 23 rd January 2024

AREA COMMITTEE: CENTRAL STOCKPORT

Action	Enforcement Notice Served
Location	6 Clwyd Avenue, Stockport
Description	Without the benefit of planning permission the erection of a raised platform (decking) over 300mm in height covering the whole garden of the dwellinghouse
Case Officer	Debbie Whitney
Notice Served Date	11 July 2023
Compliance Date	11 August 2023 Appeal submitted

AREA COMMITTEE: CENTRAL STOCKPORT

Action	Enforcement Notice Served
Location	Elsa Waste Paper Ltd 1-3 Station Road, North Reddish
Description	Condition 27 of planning permission DC078979 not complied with regarding vehicles operating on site
Case Officer	Dave Westhead
Notice Served Date	14 November 2023
Compliance Date	14 December 2023

AREA COMMITTEE: CENTRAL STOCKPORT

Action	Enforcement Notice Served
Location	4 Ashfield Grove, Davenport
Description	Without the benefit of planning permission the construction of a 2 storey rear/side extension and dormer roof extension
Case Officer	Dave Westhead
Notice Served Date	13 October 2023
Compliance Date	13 July 2024. Appeal submitted

AREA COMMITTEE: CENTRAL STOCKPORT

Action	Enforcement Notice Served
Location	10 Bramhall Lane, Cale Green
Description	Without the benefit of planning permission the installation of solid externally mounted roller shutters in St Georges Conservation Area
Case Officer	Dave Westhead
Notice Served Date	1 November 2023
Compliance Date	15 March 2024

AREA COMMITTEE: CENTRAL STOCKPORT

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	Dave Westhead
Notice Served Date	11 October 2021
Compliance Date	<p>11 February 2022</p> <p>Site visit scheduled for 13 April. 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 The notice was not complied with and as a result a prosecution file has been prepared and forwarded to Legal Services waiting for first court date.</p> <p>1st court date 6 October 2022 at Greater Manchester Magistrates Court.</p> <p>The defendant did not attend court on 6 October 2022 (service could not be confirmed) case adjourned until 18 November 2022, Council to write to the defendant with new hearing date.</p> <p>The defendant appeared at Tameside Magistrates Court on 16th November 2022, she was not represented and stated that she wanted to speak to a solicitor, no pleas were entered and the Magistrates adjourned the matter to 18th January 2023 at 1.30pm.</p> <p>Guilty plea, £200 fine. Follow up visit to be arranged.</p>

AREA COMMITTEE: CENTRAL STOCKPORT

Action	Breach of Condition Enforcement Notice Served
Location	Notion Bar 8 Vernon Street, Stockport
Description	Failure to comply with condition 2 of planning permission DC/089538 by allowing the premises to open outside of the permitted hours
Case Officer	Dave Westhead
Notice Served Date	5 January 2024
Compliance Date	10 February 2024

AREA COMMITTEE: CHEADLE

Action	Enforcement Notice Served
Location	82 High Street, Cheadle
Description	Without the benefit of planning permission the erection of a projecting fascia and retractable canopy to the front elevation of the premises in the Cheadle Village Conservation Area
Case Officer	Dave Westhead
Notice Served Date	12 July 2023
Compliance Date	12 February 2024

AREA COMMITTEE: CHEADLE

Action	Enforcement Notice Served
Location	29 Broadway, Cheadle
Description	Without the benefit of planning permission the erection of a front boundary wall with railings, and gates including posts over 1m in height adjacent to the highway
Case Officer	Debbie Whitney
Notice Served Date	20 October 2024
Compliance Date	20 February 2024 Appeal submitted

AREA COMMITTEE: CHEADLE

Action	Enforcement Notice Served
Location	244 Outwood Road, Heald Green
Description	Without the benefit of planning permission construction of a fence over 1m in height adjacent to the highway
Case Officer	Dave Westhead
Notice Served Date	17 January 2024
Compliance Date	15 August 2024

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	26 Broomfield Road, Heaton Moor
Description	Without the benefit of planning permission the construction of 3 dormer roof extensions to the rear of the property
Case Officer	Dave Westhead
Notice Served Date	29 September 2022
Compliance Date	Notice appealed Appeal dismissed, compliance by 5 June 2024

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	18 Broadstone Road, Reddish
Description	S215 Notice served as the condition of the land is detrimental to the amenity of the area
Case Officer	Dave Westhead
Notice Served Date	4 September 2023
Compliance Date	Complied with.

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	Fern Cliff, 18 Mauldeth Road, Heaton Moor
Description	Without the benefit of planning permission the removal of stone gate posts and metal gates at the access to the property.
Case Officer	Dave Westhead
Notice Served Date	7 December 2022
Compliance Date	18 April 2023 – Not complied with. Awaiting first court date

EA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	20 Princes Road, Heaton Moor
Description	Without the benefit of planning permission the installation of PVC windows to the ground and 1 st floor elevations of the dwellinghouse situated in the Mauldeth Road Conservation area
Case Officer	Dave Westhead
Notice Served Date	8 June 2023
Compliance Date	8 January 2024 Notice complied with

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	271 Green Lane, Heaton Norris
Description	Without the benefit of planning permission the installation of u-PVC windows to the 1 st floor front elevation of a dwellinghouse situated within the Green Lane Conservation Area
Case Officer	Dave Westhead
Notice Served Date	14 June 2023 effective 19 July 2023
Compliance Date	19 January 2024

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	16 Locksley Close, Heaton Norris
Description	Without the benefit of planning permission the erection of raised decking over 300mm in height
Case Officer	Dave Westhead
Notice Served Date	9 June 2023 effective 8 July 2023
Compliance Date	Complied with

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	5 Hibbert Street, Reddish
Description	Without the benefit of planning permission the material change of use from land forming a passageway to a single dwellinghouse use by the erection of a rear timber extension into a public access area
Case Officer	Debbie Whitney
Notice Served Date	6 November 2023
Compliance Date	11 June 2024 Appeal submitted

AREA COMMITTEE: HEATONS & REDDISH

Location	Climax Works, Station Road Reddish
Description	<p>The following condition of planning permission DC/078979 has not been complied with: Condition no 13: Condition 13 requires that one-way access routes shall be provided within the site in accordance with the details indicated on drawing SK21903-30 'Proposed Access, Movement and Operation Strategy Wider Site". Details of a scheme to provide signage and carriageway markings that outline the site's one-way access arrangements shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the signage and carriageway markings have been provided in accordance with these approved details. The one-way access routes and associated signage and carriageway markings shall then be retained at all times.</p>
Case Officer	Dave Westhead
Notice Served Date	14 November 2023
Compliance Date	14 January 2024

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice Served
Location	6 – 8 Shaw Road, Heaton Moor
Description	Without the benefit of planning permission the resurfacing of the customer car park and the construction of a breezeblock and rendered wall with a gate around the car park
Case Officer	Dave Westhead
Notice Served Date	15 January 2024
Compliance Date	13 May 2024

AREA COMMITTEE: HEATONS & REDDISH

Action	Enforcement Notice and Stop Notice Served
Location	Dessert Phobia 94 Longford Road West, North Reddish
Description	Without the benefit of planning permission the material change in the use of the land from a shop with accommodation at first floor to a hot food takeaway with accommodation at first floor
Case Officer	Dave Westhead
Notice Served Date	Stop Notice – served 7 December 2023 Cease the use of the land for the preparation and sale of

	hot food including but not limited to burgers, kebabs, fried chicken, chicken sandwiches, chips/fries, has browns or pizzas for consumption off the premises including by customers walking into the premises to order, ordering for collection or delivery compliance by 12 December 2023. Enforcement Notice or the removal of equipment served 7 December 2023
Compliance Date	7 March 2024

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

AREA COMMITTEE: MARPLE

Action	Enforcement Notice Served
Location	83 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	Appeal submitted against refusal of planning permission to retain platform and wooden building to house a pizza oven. Appeal dismissed Enforcement notice now effective and compliance by 1/11/2023 The owners have submitted a new planning application with alterations to the front loggia and rear extension/chimney to try and overcome the reasons for the refusal of their previous application and enforcement notice. This application is currently undergoing validation and requires a noise assessment for the chimney. Given the new application and the fact that the Christmas period is upon us and to allow the business to trade during this period the Council has agreed to extend the compliance period to 5 th February 2024.

AREA COMMITTEE: WERNETH

Action	High Hedge Remedial Notice Served
Location	12 Green Croft, Romiley

Description	High Hedge Remedial Notice
Case Officer	Dave Westhead
Notice Served Date	23 August 2023
Compliance Date	16 February 2026

AREA COMMITTEE: STEPPING HILL

Action	High Hedge Notice Served
Location	Bosden House, Offerton Road, Offerton
Description	The hedge at Bosden House is taking light and sunlight from habitable rooms and windows at 17 Arne Close.

Case Officer	Dave Westhead
Notice Served Date	18 December 2022 effective 12 January 2023 compliance in 3 stages final compliance by April 2025. The owners have reduced the hedge in height so that it complied with the requirements for a phased reduction. Final reduction is by April 2025
Compliance Date	April 2025