#### PLANNING AND HIGHWAYS REGULATION COMMITTEE APPEAL DECISIONS, CURRENT PLANNING APPEALS AND ENFORCEMENTS 21 MARCH 2024

#### 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

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

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

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

Appeal date	12 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	181 Woodford Road, Woodford
Proposal	Refusal of planning permission for infill development of 5 bungalows
Case Officer	Osian Perks
Appeal Decision	Pending

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

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	Dismissed

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

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

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

Appeal date	12 March 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	89 Brown Lane, Heald Green
Proposal	Appeal against the refusal of planning permission for a bungalow conversion into 2 storey house, 2 storey side extension accommodation with loft space and front porch including an outhouse replacing the existing garage
Helen Hodgett	Rob Farris
Appeal Decision	Pending

Appeal date	20 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	14 Wilton Avenue, Heald Green
Proposal	Appeal against the refusal of planning permission for a 2 storey side and rear extension with rear dormer loft extension and single storey rear extension
Helen Hodgett	Ethan Smyth
Appeal Decision	Pending

Appeal date	20 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	35 Broadway, Cheadle
Proposal	Appeal against the refusal of planning permission for amendment to loft general arrangement from approved plans and for the retention of roof window
Helen Hodgett	Rob Farris
Appeal Decision	Pending

Appeal date	21 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	141 Gatley Road, Gatley
Proposal	Appeal against the refusal of planning permission for the demolition of existing property and replacement with 9 apartments
Helen Hodgett	Rebbecca Whitney
Appeal Decision	Pending

Appeal date	13 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	11 Greenbank Road, Gatley
Proposal	Appeal against the refusal of planning permission to change the angle of pitch on garage roof
Helen Hodgett	Rob Farris
Appeal Decision	Pending

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 abd equipment cabinets
Case Officer	Jeni Regan
Appeal Decision	Pending

Appeal date	21 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	6-8 Shaw Road, Heaton Moor
Proposal	Refusal of planning permission part retrospective application for the retention of white rendered wall, black sliding gate and retention of tarmacadam surface of the customer car park and proposed alterations to the shop frontage
Case Officer	Jeni Regan
Appeal Decision	Pending

Appeal date	9 February 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Queens Drive, Heaton Moor
Proposal	Refusal of prior approval for the installation of electronic communications apparatus
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

NONE CURRENT

AREA COMMITTEE: WERNETH

NONE CURRENT

# **ENFORCEMENT APPEALS**

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

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

# NONE CURRENT

Appeal date	27 February 2024
Appeal Procedure	Written Representations
Location	244 Outwood Road Heald Green
Case Officer	Dave Westhead
Proposal	Without the benefit of planning permission the construction of a fence over 1m in height adjacent to the highway used by vehicular traffic
Appeal Decision	Pending

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

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

12 February 2024

Appeal Procedure	Written Representations
Location	5 Hibbert Street, Reddish
Proposal	Without the benefit of planning permission the material change in use of the land from a passageway to residential use
Case Officer	Dave Westhead
Appeal Decision	Appeal dismissed compliance by 15 June 2024.

Appeal date	21 February 2024
Appeal Procedure	Written Representations
Location	6-8 Shaw Road, Heaton Moor

Proposal	Without the benefit of planning permission the construction of a breezeblock and rendered wall with a gate, around the car park
Case Officer	Dave Westhead
Appeal Decision	Pending

#### AREA COMMITTEE: MARPLE

# NONE CURRENT

AREA COMMITTEE: STEPPING HILL

NONE CURRENT

AREA COMMITTEE: WERNETH

NONE CURRENT

# **ENFORCEMENT NOTICES**

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 at1 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.
	Appeal site visit 3 <sup>rd</sup> April 2024, appeal decision anticipated within four months of site visit

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 3rd April 2024, appeal decision anticipated within four months of site visit

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

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 extended to 2 <sup>nd</sup> April 2024

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
	Notice complied with

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	11 February 2022
	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. 1 <sup>st</sup> court date 6 October 2022 at Greater Manchester Magistrates Court. 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. The defendant appeared at Tameside Magistrates Court on 16 <sup>th</sup> 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 18 <sup>th</sup> January 2023 at 1.30pm.
Guilty plea, £200 fine. Follow up visit to be arranged April 2024

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
	Notice being complied with

Action	Enforcement Notice Served
Location	82 High Street, Cheadle
Description	Without the benefit of planning permission the erection of a projecting facia 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.
	Not complied with, owners contacted and will have complied by 10 <sup>th</sup> April

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

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

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

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.

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.
	First court date 25 <sup>th</sup> April 2024

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 <sup>st</sup> 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.
	Notice not complied with owner has confirmed will be complied with by 31 <sup>st</sup> March 2024

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 erectioon 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: HEA	AREA COMMITTEE: HEATONS & REDDISH		
Location	Climax Works, Station Road Reddish		
Description	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.
Case Officer	Dave Westhead
Notice Served Date	14 November 2023
Compliance Date	2 <sup>nd</sup> April 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
	Appeal submitted

Action	Enforcement Notice Served
Location	6 – 8 Shaw Road, Heaton Moor
Description	Without the benefit of planning permission the replacement of wooden sliding sash windows to the 1 <sup>st</sup> floor and the replacement of the front existing wooden conservatory extension windows and door with metal framed windows and door
Case Officer	Dave Westhead
Notice Served Date	14 March 2024
Compliance Date	18 October 2024
	Appeal submitted

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
	Complied with

AREA COMMITTEE: HEATONS & REDDISH	
Action	Enforcement Notice Served
Location	Asda Superstore, 6 Manchester Road, Heaton Norris
Description	Failure to comply with planning condition conditions regarding the relocation/replacement of existing cycle parking facilities
Case Officer	Dave Westhead
Notice Served Date	7 March 2024
Compliance Date	Notice effective on service

#### AREA COMMITTEE: MARPLE

Enforcement Notice Served
Land at Holly Head, Hollywood Road Mellor
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.
Dave Westhead
23 February 2022
23 February 2022

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 <sup>th</sup> 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