

PLANNING AND HIGHWAYS REGULATION COMMITTEE APPEAL DECISIONS, CURRENT PLANNING APPEALS AND ENFORCEMENTS
15 AUGUST 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 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 – Hearing date 19 September 2024

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

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

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	18 June 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	Land to the rear of 409 Chester Road, Woodford
Proposal	Refusal of planning permission for the demolition of the existing buildings and erection of a single story dwelling with access from Chester Road (outline application with only landscaping reserved for future consideration)
Case Officer	Jane Chase
Appeal Decision	Pending

AREA COMMITTEE: CENTRAL STOCKPORT

NONE CURRENT

AREA COMMITTEE: CHEADLE

NONE CURRENT

AREA COMMITTEE: HEATONS & REDDISH

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

AREA COMMITTEE: HEATONS & REDDISH

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	Appeal dismissed and costs application dismissed

AREA COMMITTEE: STEPPING HILL

NONE CURRENT

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	Appeal dismissed on 2 May 2024 and notice upheld, 6 months to comply (2 November 2024).

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: CHEADLE

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	Appeal withdrawn - compliance by 21/11/2024

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	Court date vacated – parties have agreed for new planning application to be submitted by 30/8/2024
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	Allowed

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	Allowed - enforcement notice quashed
AREA COMMITTEE: HEATONS & REDDISH	
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 (appeal cojoined with planning appeal)

AREA COMMITTEE: MARPLE

NONE CURRENT

AREA COMMITTEE: STEPPING HILL

NONE CURRENT

AREA COMMITTEE: WERNETH

NONE CURRENT

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

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	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	Appeal dismissed - notice upheld.

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Action	Enforcement Notice served
Location	The Birches, 38B Grange Road, Bramhall
Description	Without the benefit of planning permission the installation of an air conditioning unit to the side elevation of the property
Case Officer	Debbie Whitney
Notice Served Date	21 June 2024
Compliance Date	19 January 2025

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Action	Enforcement Notice served
Location	5 Manor Road, Woodley
Description	Without the benefit of planning permission the construction of a dormer roof extension to the rear roof of the property
Case Officer	Dave Westhead
Notice Served Date	31 July 2024
Compliance Date	28 August 2025

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	Appeal dismissed – 2 November 2024

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	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 The notice was not complied with and as a result a prosecution file was prepared and forwarded to Legal Services. The defendant appeared at Tameside Magistrates Court on 16 th November 2022, which was adjourned to 18 th January 2023. Guilty plea, £200 fine. Follow up visit to be arranged.

AREA COMMITTEE: CENTRAL STOCKPORT

Action	S215 Enforcement Notice Served
Location	Land at The Arches, 1 Wellington Road South, Stockport
Description	The condition of the land and buildings is such that it is detrimental to the amenity of the users of Wellington road South and the Town Centre of Stockport General 1. Remove all vegetation growing out of the roof, the rainwater good including gutters or other parts of the fabric of the building and dispose of them at a licenced waste disposal site. 2. Remove any graffiti from all elevations of the building. 3. Clean and where necessary repair the existing rainwater goods including all gutters, downpipes and

	<p>hoppers so that they function correctly</p> <p>Front Elevation Wellington Road South</p> <ol style="list-style-type: none"> 1. Remove the remaining render from the front elevation of the property and dispose of it at a licenced waste disposal site 2. Board over the windows and door openings to the Wellington Road South using single sheets of exterior grade plywood cut to size which then needs to be painted in black using a paint formulated for use on exterior woodwork ensuring that sufficient coats of paint are applied to cover the boarding 3. Paint the architectural detail around the door in the same colour. <p>Gable Elevations visible to Wellington Road South</p> <ol style="list-style-type: none"> 4. Board over the window openings using single sheets of exterior grade plywood cut to size which then needs to be painted black using a paint formulated for use on exterior woodwork ensuring that sufficient coats of paint are applied to cover the boarding 5. Clean and remove all flaking paint and moss/algae <p>Gable Elevations visible to Daw Bank and Mersey Square</p> <ol style="list-style-type: none"> 6. Remove redundant adverts including all frames 7. Clean and remove all flaking paint and moss/algae. 8. Paint the railings to the rear steps in black using a paint formulated for use on exterior metalwork
Case Officer	Lisa McGrane
Notice Served Date	12 June 2024
Compliance Date	Wellington Road South (Front) elevation steps 1, 2 & 3 two months ; all remaining steps six months

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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	21 November 2024. Appeal withdrawn and therefore the notice is effective.

AREA COMMITTEE: CHEADLE	
Action	Enforcement Notice Served
Location	Land to the rear of 119 Silverdale Road, Gatley
Description	<p>Without the benefit of planning permission the material change in use of the land to a garden for the use of 119 Silverdale Road including the construction of an area of raised decking, step access and wooden fences.</p> <ol style="list-style-type: none"> 1. Cease the use of the land as garden in connection with the occupation of 119 Silverdale Road. 2. Remove from the land the raised area of decking including all posts, handrails and support

	<p>frame and steps to access the decking.</p> <ol style="list-style-type: none"> 3. Remove the 2m high fence used to enclose the land. 4. Install a 1.8m high close boarded wooden fence along the original rear boundary of 119 Silverdale Road so that it prevents access to the land. <p>Variation Notice served 10 July 2024 Notice effective immediately</p> <p>Step 3 is varied to read:- Remove the 2 metre high fence used to enclose the land or provide wildlife access holes to all of the fence elevations. If the wildlife holes are provided then they shall be maintained.</p> <p>Step 4 is varied to read:- Install a 1.8 metre high close boarded fence along the original rear boundary of the garden, or plant a hedge along the original rear boundary of the garden. The hedge shall consist of 0.5 metre high species planted 30 to 45 centimetres apart. Any hedging plants that are damaged, become diseased or die within 5 years of planning shall be replaced with plants of a similar species within the next planting season</p>
Case Officer	Dave Westhead
Notice Served Date	Notice took effect on 12 June 2024
Compliance Date	Step 1-one month; Steps 2-4 six months Notice complied with

AREA COMMITTEE: CHEADLE

Action	Enforcement Notice Served
Location	Land to the rear of 115 Silverdale Road, Gatley
Description	<p>Without the benefit of planning permission the material change in use of the land to a garden for the use of 115 Silverdale Road including the construction of an area of raised decking, step access and wooden fences.</p> <ol style="list-style-type: none">1. Cease the use of the land as garden in connection with the occupation of 115 Silverdale Road.2. Remove from the land the raised area of decking including all posts, handrails and support frame and steps to access the decking.3. Remove the 2m high fence used to enclose the land.4. Install a 1.8m high close boarded wooden fence along the original rear boundary of 115 Silverdale Road so that it prevents access to the land.
Case Officer	Dave Westhead
Notice Served Date	Notice took effect on 12 June 2024
Compliance Date	Step 1-one month; Steps 2-4 six months Appeal submitted.

AREA COMMITTEE: CHEADLE

Action	Enforcement Notice Served
Location	Yard and the rear of 39 Old Road, Cheadle
Description	<p>Without the benefit of planning permission the material change of use in the use of the land and yard at the rear of 39 Old Road from a mixed use of yard/office to the use of the land for a waste transfer and management station.</p> <ol style="list-style-type: none">1. Cease the use of the land for the importation, holding, sorting and transfer of waste products.2. Remove from the land all skips, transport vehicles, wheelie bins, storage bins, cylinders and other material that has been imported to the land and then stored on it.
Case Officer	Lisa McGrane
Notice Served Date	Notice took effect on 12 July 2024
Compliance Date	Step 1 one month; Step 2 four months

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	Appeal dismissed - compliance by 5 June 2024. Two of the three dormers have been removed. Final site visit on 3 July 2024 to confirm compliance. Notice 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 – complied with. Full costs awarded following prosecution, to be paid in 28 days. A Collection Order was made by the Court to ensure all fines are paid. Notice complied with

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

AREA COMMITTEE: HEATONS & REDDISH

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 st 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	Breach of Condition Notice Served
Location	Pro Nama Carwash 364-366 Wellington Road North, Heaton Chapel
Description	Failure to comply with Condition 7 of planning permission DC/069553 by allowing surface water and pollutants to enter the highway and drains outside
Case Officer	Dave Westhead
Notice Served Date	10 July 2024
Compliance Date	10 August 2024

AREA COMMITTEE: HEATONS & REDDISH

Action	Breach of Condition Notice Served
Location	Pro Nama Carwash 364-366 Wellington Road North, Heaton Chapel
Description	Failure to comply with Condition 3 of planning permission DC/069553 has lead to water and chemicals in the washing of vehicles to flow into highway and into the existing surface water drainage system
Case Officer	Dave Westhead
Notice Served Date	10 July 2024
Compliance Date	10 August 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 Compliance by February 2025

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 against refusal of planning permission to retain platform and wooden building to house a pizza oven dismissed and enforcement notice effective with compliance by 1/11/2023. The owners submitted a new planning application with alterations to try and overcome the reasons for the refusal of their previous application. The Council agreed to extend the compliance period to 5 th February 2024, which has not been complied with. Prosecution file has been sent to Legal Services and awaiting court date.

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: WERNETH

Action	Enforcement Notice Served
Location	Land adjacent to Yew Tree Local 2-4 Yew Tree Drive, Bredbury
Description	Without the benefit of planning permission the installation of a parcel locker
Case Officer	Dave Westhead
Notice Served Date	31 July 2024
Compliance Date	28 September 2024

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