

**PLANNING AND HIGHWAYS REGULATION COMMITTEE APPEAL DECISIONS, CURRENT PLANNING APPEALS AND ENFORCEMENTS**  
**25 SEPTEMBER 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**

<b>AREA COMMITTEE: BRAMHALL &amp; CHEADLE HULME SOUTH</b>	
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: HEATONS & REDDISH**

Appeal date	15 August 2024
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	7 Sheffield Street, Heaton Norris
Proposal	Refusal of prior approval for the change of use from class E car servicing to class C3 2 no apartments
Case Officer	Jeni Regan
Appeal Decision	Pending

**AREA COMMITTEE: MARPLE****NONE CURRENT****AREA COMMITTEE: STEPPING HILL****NONE CURRENT**



**AREA COMMITTEE: WERNETH**

**NONE CURRENT**

## **ENFORCEMENT APPEALS**

<b>AREA COMMITTEE: CENTRAL STOCKPORT</b>	
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

<b>AREA COMMITTEE: CHEADLE</b>	
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
<b>AREA COMMITTEE: HEATONS &amp; REDDISH</b>	
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**

<b>AREA COMMITTEE: BRAMHALL &amp; CHEADLE HULME SOUTH</b>	
<b>Action</b>	Enforcement Notice served
<b>Location</b>	The Birches, 38B Grange Road, Bramhall
<b>Description</b>	Without the benefit of planning permission the installation of an air conditioning unit to the side elevation of the property
<b>Case Officer</b>	Debbie Whitney
<b>Notice Served Date</b>	21 June 2024
<b>Compliance Date</b>	19 January 2025

**AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH**

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

**AREA COMMITTEE: CENTRAL STOCKPORT**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	6 Clwyd Avenue, Stockport
<b>Description</b>	Without the benefit of planning permission the erection of a raised platform (decking) over 300mm in height covering the whole garden of the dwellinghouse
<b>Case Officer</b>	Debbie Whitney
<b>Notice Served Date</b>	11 July 2023
<b>Compliance Date</b>	Appeal dismissed – Compliance 2 November 2024

**AREA COMMITTEE: CENTRAL STOCKPORT**

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

**AREA COMMITTEE: CENTRAL STOCKPORT**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Flat 2, 3 The Grove Cale Green
<b>Description</b>	Without the benefit of planning control the erection of a garage to the front of the property
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	11 October 2021
<b>Compliance Date</b>	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 <sup>th</sup> November 2022, which was adjourned to 18 <sup>th</sup> January 2023. Guilty plea, £200 fine.



	Follow up visit concluded the garage is still existing although part of the roof has collapsed. The occupier of the property has left and the owner has been written to and given 2 months to comply with the notice.
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**AREA COMMITTEE: CENTRAL STOCKPORT**

<b>Action</b>	S215 Enforcement Notice Served
<b>Location</b>	Land at The Arches, 1 Wellington Road South, Stockport
<b>Description</b>	<p>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</p> <p><b>General</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Remove any graffiti from all elevations of the building.</li> <li>3. Clean and where necessary repair the existing rainwater goods including all gutters, downpipes and hoppers so that they function correctly</li> </ol> <p><b>Front Elevation Wellington Road South</b></p> <ol style="list-style-type: none"> <li>1. Remove the remaining render from the front elevation of the property and dispose of it at a licenced waste disposal site</li> <li>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</li> <li>3. Paint the architectural detail around the door in the same colour.</li> </ol> <p><b>Gable Elevations visible to Wellington Road South</b></p>

	<p>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</p> <p>5. Clean and remove all flaking paint and moss/algae</p> <p><b>Gable Elevations visible to Daw Bank and Mersey Square</b></p> <p>6. Remove redundant adverts including all frames</p> <p>7. Clean and remove all flaking paint and moss/algae.</p> <p>8. Paint the railings to the rear steps in black using a paint formulated for use on exterior metalwork</p>
<b>Case Officer</b>	Lisa McGrane
<b>Notice Served Date</b>	12 June 2024
<b>Compliance Date</b>	Wellington Road South (Front) elevation steps 1, 2 & 3 <b>two months</b> ; all remaining steps <b>six months</b>

<b>AREA COMMITTEE: CHEADLE</b>	
<b>Action</b>	Enforcement Notice Served
<b>Location</b>	244 Outwood Road, Heald Green
<b>Description</b>	Without the benefit of planning permission construction of a fence over 1m in height adjacent to the highway
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	17 January 2024

<b>Compliance Date</b>	21 November 2024. Appeal withdrawn and therefore the notice is effective.
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<b>AREA COMMITTEE: CHEADLE</b>	
<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land to the rear of 119 Silverdale Road, Gatley
<b>Description</b>	<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"> <li>1. Cease the use of the land as garden in connection with the occupation of 119 Silverdale Road.</li> <li>2. Remove from the land the raised area of decking including all posts, handrails and support frame and steps to access the decking.</li> <li>3. Remove the 2m high fence used to enclose the land.</li> <li>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.</li> </ol> <p>Variation Notice served 10 July 2024 Notice effective immediately</p> <p><b>Step 3 is varied to read:-</b> Remove the 2 metre high fence used to enclose the land <b>or</b> provide wildlife access holes to all of the fence elevations. If the wildlife holes are provided then they shall be maintained.</p> <p><b>Step 4 is varied to read:-</b> Install a 1.8 metre high close boarded fence along the original rear boundary of the garden, <b>or</b> 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>

<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	Notice took effect on 12 June 2024
<b>Compliance Date</b>	Step 1-one month; Steps 2-4 six months  Notice complied with

**AREA COMMITTEE: CHEADLE**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land to the rear of 115 Silverdale Road, Gatley
<b>Description</b>	<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"><li>1. Cease the use of the land as garden in connection with the occupation of 115 Silverdale Road.</li><li>2. Remove from the land the raised area of decking including all posts, handrails and support frame and steps to access the decking.</li><li>3. Remove the 2m high fence used to enclose the land.</li><li>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.</li></ol>
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	Notice took effect on 12 June 2024
<b>Compliance Date</b>	Step 1-one month; Steps 2-4 six months Appeal submitted.

**AREA COMMITTEE: CHEADLE**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Yard and the rear of 39 Old Road, Cheadle
<b>Description</b>	<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"><li>1. Cease the use of the land for the importation, holding, sorting and transfer of waste products.</li><li>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.</li></ol>
<b>Case Officer</b>	Lisa McGrane
<b>Notice Served Date</b>	Notice took effect on 12 July 2024
<b>Compliance Date</b>	Step 1 one month; Step 2 four months

**AREA COMMITTEE: HEATONS & REDDISH**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	6 – 8 Shaw Road, Heaton Moor
<b>Description</b>	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
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	15 January 2024
<b>Compliance Date</b>	13 May 2024 - appeal submitted

**AREA COMMITTEE: HEATONS & REDDISH**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	6 – 8 Shaw Road, Heaton Moor
<b>Description</b>	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
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	14 March 2024
<b>Compliance Date</b>	18 October 2024 - appeal submitted

**AREA COMMITTEE: HEATONS & REDDISH**

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

**AREA COMMITTEE: HEATONS & REDDISH**

<b>Action</b>	Breach of Condition Notice Served
<b>Location</b>	Pro Nama Carwash 364-366 Wellington Road North, Heaton Chapel
<b>Description</b>	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
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	10 July 2024
<b>Compliance Date</b>	10 August 2024



<b>AREA COMMITTEE: MARPLE</b>	
<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land at Holly Head, Hollywood Road Mellor
<b>Description</b>	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.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	23 February 2022 Compliance by February 2025

<b>AREA COMMITTEE: MARPLE</b>	
<b>Action</b>	Enforcement Notice Served
<b>Location</b>	83 Stockport Road, Marple
<b>Description</b>	Without the benefit of planning permission the material change in use of the land from a drinking establishment to a restaurant
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	22 November 2022
<b>Compliance Date</b>	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 <sup>th</sup> February 2024, which has not been complied with. Prosecution file has been sent to Legal Services and awaiting court date.

**AREA COMMITTEE: WERNETH**

<b>Action</b>	High Hedge Remedial Notice Served
<b>Location</b>	12 Green Croft, Romiley
<b>Description</b>	High Hedge Remedial Notice
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	23 August 2023
<b>Compliance Date</b>	16 February 2026

**AREA COMMITTEE: WERNETH**

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

**AREA COMMITTEE: STEPPING HILL**

<b>Action</b>	High Hedge Notice Served
<b>Location</b>	Bosden House, Offerton Road, Offerton
<b>Description</b>	The hedge at Bosden House is taking light and sunlight from habitable rooms and windows at 17 Arne Close.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	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
<b>Compliance Date</b>	April 2025