

# **Southern Planning Committee**

## **Agenda**

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**Date:** Wednesday, 1st May, 2024  
**Time:** 10.00 am  
**Venue:** Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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**Please note that members of the public are requested to check the Council's website the week the Southern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published**

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

**1. Apologies for Absence**

To receive apologies for absence.

**2. Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda and for Members to declare if they have pre-determined any item on the agenda.

**3. Minutes of Previous Meeting (Pages 3 - 8)**

To approve the minutes of the meeting held on 3 April 2024.

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For requests for further information

**Contact:** Rachel Graves

**E-Mail:** [rachel.graves@cheshireeast.gov.uk](mailto:rachel.graves@cheshireeast.gov.uk)

#### 4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

A total period of 3 minutes is allocated for each of the planning applications for the following:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

#### 5. **23/3881N - TELFORD COURT, DUNWOODY WAY, CREWE, CW1 3AW: Full planning application for the erection of a 24-Bed Specialist Care Unit (Use Class C2) with ancillary parking and servicing (Pages 9 - 26)**

To consider the above planning application.

#### 6. **Planning Enforcement Performance Update (Pages 27 - 54)**

To receive an update on the performance of planning enforcement during the last quarter of 2022/2023 and the year of 2023/2024.

#### **THERE ARE NO PART 2 ITEMS**

**Membership:** Councillors R Bailey, J Bratherton (Chair), L Buchanan, A Burton, L Crane, A Gage, A Kolker (Vice-Chair), R Moreton, M Muldoon and J Wray

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 3rd April, 2024 in the Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

**PRESENT**

Councillor J Bratherton (Chair)

Councillors L Buchanan, A Burton, J Clowes, L Crane, A Gage, S Gardiner,  
R Moreton, M Muldoon and J Wray.

**OFFICERS IN ATTENDANCE**

Dan Evans, Principal Planning Officer  
Andrew Goligher, Highways Officer  
Andrew Poynton, Planning and Highways Lawyer  
Rachel Graves, Democratic Services Officer

**72 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors R Bailey and A Kolker.  
Councillors J Clowes and S Gardiner attended as substitutes.

**73 DECLARATIONS OF INTEREST/PRE DETERMINATION**

There were no declarations of interest.

**74 MINUTES OF PREVIOUS MEETING****RESOLVED:**

That the minutes of the meeting held on 6 March 2024 be approved as a correct record.

**75 PUBLIC SPEAKING**

The public speaking procedure was noted.

**76 19/5211N - LAND SOUTH OF MONKS LANE AND WEST OF CHESTER ROAD, ACTON: RESIDENTIAL DWELLINGS AND ASSOCIATED GARAGES & CAR PARKING, PUBLIC HOUSE WITH ANCILLARY ACCOMMODATION & CAR PARKING, VEHICULAR ACCESSES INCLUDING LINK ROAD BETWEEN MONKS LANE & CHESTER ROAD, FOOTPATHS, VILLAGE GREEN & ASSOCIATED CAR PARKING, LANDSCAPING & DRAINAGE AND ASSOCIATED DEVELOPMENT**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Burland and Acton Parish Councillor Sue Stott, Dr Deb Ravenscroft (objector), Claire Lewis-Jones (objector) and Philip Percival (supporter).

**RESOLVED:**

That the application be REFUSED for the following reasons:

1. The proposed development is unsustainable because it is located within the Open Countryside and does not meet any of the exceptions noted for development within Open Countryside. The proposed development would also cause harm to the open countryside/local landscape through urbanisation and countryside encroachment contrary to Policies SE1 (Design), PG6 (Open Countryside), SD1 (Sustainable Development in Cheshire East) & SD2 (Sustainable Development Principles), SE2 (Efficient Use of Land) of the Cheshire East Local Plan Strategy, GEN1 (Design) and the principles of the SADPD, ENV3: Open Countryside, DEV1 Design for New Development, DEV3 Location of Housing of the AEHNDP, the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use.
2. The proposed development by reason siting, design and appearance would cause harm to the setting/character/appearance of the Conservation Area, Listed Buildings and Historic Registered Park. This harm would be at the lower to middle end of less than substantial harm when considered individually, however cumulatively the impact on all the heritage assets would be considerable which leads to a conclusion that the harm would be on the higher end of less than substantial. This harm is not considered to be outweighed by the public benefits and is therefore contrary to Policies SE1 (Design), SD1 (Sustainable Development in Cheshire East) & SD2 (Sustainable Development Principles), SE7 (Historic Environment) of the CELPS, HER3 (Conservation areas), HER4 (Listed buildings), HER5 (Registered parks and gardens) of the SADPD, Policy ENV2: valued Features and Characteristics, HER1 Heritage Assets, HER2 Acton Conservation Area, HER3 Chester Canal Conservation Area of the AEHNDP the NPPF, Conservation Area Character Appraisal and Management Strategy 28th June 2007 and Enabling Development and Heritage Assets 30th June 2020.
3. The proposed development does not provide the required level of Public Open Space to create a sustainable development. The proposed development is contrary to Policy SD1 (Sustainable Development in Cheshire East) & SD2 (Sustainable Development

Principles), SE6 (Green Infrastructure) of the Cheshire East Local Plan Strategy.

4. The submitted ecological surveys/assessments are out of date given the time passed since they were undertaken and the Biodiversity metric calculation submitted with the application uses an outdated version of the metric spreadsheet and should be based upon an updated UK Habitats survey and condition assessment. In absence of this insufficient information has been provided in support of the application to consider the full ecological impacts associated with the development. The proposal would also have an adverse impact upon an area of Wood Pasture and Parkland priority habitat with a corresponding significant loss of biodiversity. As a result, insufficient information has been provided to consider the full ecological impacts associated with the proposal contrary to Policies SE3 (Biodiversity and Geodiversity) of the CELPS, ENV 1 (Ecological network) & ENV 2 (Ecological implementation) of the SADPD, ENV5 Habitats and Wildlife Corridors of the AEHNDP and the NPPF.
5. No information has been provided in support of the application to consider the location and tenure of the policy required affordable housing. As such insufficient information has been provided to demonstrate compliance with Policies SC5 (Affordable Housing) of the CELPS, HOU1 (Housing Mix) of the SADPD, EV4 Type and Mix of Housing of the AEHNDP and the Housing SPD.
6. The proposed development would result in the creation of poor quality living environment for the future occupiers given the insufficient internal space for some of the plots and insufficient information has been submitted to demonstrate an acceptable housing mix with a lack of 1 bedroom units. The proposal is therefore contrary to Policies SE1 (Design), SD1 (Sustainable Development in Cheshire East), SC3 (Health and Well-Being) of the Cheshire East Local Plan Strategy, SADPD Policies HOU8 (Space, accessibility and wheelchair housing standards), The Cheshire East Design Guide (part 2 Page 95 para vii 22) the NPPF and the Nationally Described Space Standards.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% on site provision	In accordance with phasing plan and detailed of location and tenure
<b>Education</b>	$8 \times £17,959 \times 0.91 = £130,741.52$ (secondary) $1 \times £50,00 \times 0.91 = £45,500$ (SEN) Total education contribution: £176,241.52	To be paid prior to the occupation of the 25th dwelling
<b>NHS</b>	2 bed x8 – £5,760 3 bed x 29 – £29,232 4 bed x 15 – £18,900 5 bed x1 – £1,728 Total 53 units – £55,620	To be paid prior to the occupation of the 25th dwelling
<b>POS</b>	Combined amenity and play £3,000 per dwelling Recreation & Outdoor Sport £1,000 per dwelling Allotment/food growth £562.50	To be paid prior to the occupation of the 25th dwelling
<b>Enabling Works</b>	Enabling Development Scheme to link application 19/5211N - Applicant will open a separate bank account, with statements from the bank account being sent to the Council for transparency - The Applicant will enter into a bond to cover the amount of the works - The Council has access to the details of the sale/charging of land to check the amount of money raised by the sites - Applicant to agree a Schedule of works in priority order, when the works are to be undertaken and by when - A technical specification of proposed works for each of these main work areas shall be submitted an approved.	

**77 24/0066M - 72 FENCE AVENUE, MACCLESFIELD, SK10 1LT:  
WIDENING OF DRIVEWAY AND ACCESS, GROUND WORKS,  
LANDSCAPING AND ASSOCIATED WORKS**

Consideration was given to the above planning application.

**RESOLVED:**

That for the reasons set out in the report the application be APPROVED, subject to the following conditions:

- 1 Time (3 years)
- 2 Plans
- 3 Materials as per application.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair of the Southern Planning Committee, or in their absence the Vice Chair, to correct any technical slip or omission in the resolution, before issue of the decision notice.

The meeting commenced at 10.00 am and concluded at 11.13 am

Councillor J Bratherton (Chair)

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Application No: 23/3881N

Location: TELFORD COURT, DUNWOODY WAY, CREWE, CW1 3AW

Proposal: Full planning application for the erection of a 24-Bed Specialist Care Unit (Use Class C2) with ancillary parking and servicing

Applicant: Ms Lucy Chawner, Inspired Life Care Ltd

Expiry Date: 03-May-2024

### **SUMMARY**

The proposal seeks an extension to the existing Care Home provision to accommodate an additional building with 24 new bedrooms, extended car park and landscaping.

The proposal is for C2 residential care with occupants living within bedrooms, with communal lounge areas and outdoor space. It is noted that the development would bring benefits in relation to additional care home provision for the population.

There is no impact on highway safety, subject to conditions, and similarly no issues in relation to landscaping, drainage, and cycle storage provision, subject to conditions.

It is considered that the design, location and scale of the building is appropriate for its proposed use and when viewed within the context of the wider area.

The previously refused scheme raised concerns in relation to amenity and it is considered that this application has addressed those concerns by locating the building away from the neighbours rear gardens and elevations, and the location of the car park to the rear. The proposed building meets the required separation standards and is therefore considered to be acceptable in terms of neighbouring amenity.

It is therefore considered that the proposal is acceptable and in general accordance with the development plan and therefore recommended for approval accordingly.

### **Recommendation:**

**Approve with conditions**

## REASON FOR REFERRAL

The application is for over 20 bedrooms and is therefore a major development.

## DESCRIPTION OF SITE AND CONTEXT

The application site is situated within the Crewe Settlement Boundary situated on the corner of Dunwoody Way. The existing building is a two storey building and is used as a care home.

## DETAILS OF PROPOSAL

The proposal seeks full planning permission for the erection of a 24-Bed Specialist Care Unit (Use Class C2) with ancillary parking and servicing.

## RELEVANT HISTORY

20/1454N - Proposal for a two storey, 18 bed specialist unit care home on an existing soft landscape area adjacent Telford Court Care Home; including additional car parking, ancillary gardens and increase to existing bin store – Refused 18<sup>th</sup> December 2020; Dismissed at Appeal 17<sup>th</sup> September 2021

### *Reason for refusal*

- 1. It is considered that the proposed plans would amount to a visually obtrusive form of development that would have an adverse impact on neighbouring amenity by means of its proximity and overbearing impact. The proposed development would appear to be an overly cramped form of development and would amount to an unneighbourly form of development. The proposal is therefore considered to be unacceptable and contrary to policies SD2 and SE1 of the Cheshire East Local Plan, BE1 of the Crewe and Nantwich Replacement Local Plan and the guidance set out in the Cheshire East Design Guide and the National Planning Framework.*

18/2071N –Variation of condition 2 (plans) on application 17/6358N - Variation of condition 2 on application 16/4971N - To erect two storey 84 Bed Care Home (Class C2) following site removal of an existing car park – Approved with conditions 16<sup>th</sup> July 2018

17/2894N - Non material amendment to existing permission 16/4971N – Approved with conditions 1<sup>st</sup> September 2017

17/6358N - Variation of condition 2 on application 16/4971N - To erect two storey 84 Bed Care Home (Class C2) following site removal of an existing car park. – Approved with conditions 5<sup>th</sup> March 2018

16/4971N – To erect two storey 84 Bed Care Home (Class C2) following site removal of an existing car park – approved with conditions 2<sup>nd</sup> February 2017

10/1659N – To Erect Two Storey 81 Bed Care Home (Class C2: Residential Institution) Following Site Removal of an Existing Car Park – approved with conditions 23<sup>rd</sup> September 2010

## **POLICIES**

### **Development Plan Policies**

#### **Cheshire East Local Plan Strategy (CELPS)**

PG2 – Settlement Hierarchy  
PG7 – Spatial Distribution of Development  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 - Design  
SE2 - Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE5 – Trees, Hedgerows and Woodland  
EG5 – Promoting a Town Centre First Approach to Retail and Commerce  
CO1 – Sustainable Travel and Transport  
SC3 – Health and Well-being

#### **Site Allocations and Development Policies Document (SADPD)**

PG9 Settlement boundaries  
GEN 1 Design Principles  
ENV 1 Ecological network  
ENV 5 Landscaping  
ENV 6 Trees, hedgerows and woodland implementation  
ENV 7 Climate Change  
ENV 12 Air Quality  
ENV 14 Light pollution  
ENV 15 new development and existing uses  
ENV 16 surface water management and flood risk  
HOU 2 Specialist housing provision  
HOU 12 Amenity  
HOU 14 Residential standards  
HOU 14 Housing Density  
INF 3 Highway safety and access  
INF 9 Utilities

### **National Planning Policy**

National Planning Policy Framework (2019)  
Planning Practice Guidance

### **CONSULTATIONS (External to Planning)**

**Highways:** No objections, subject to conditions for a new pedestrian crossing and new access to be in place prior to occupation, and the submission of the car park management plan

**Environmental Health:** No objections, subject to conditions for EV charging, low emission boilers, sustainable travel plan, contaminated land method statement, verification report, soil importation and unexpected contamination, and informatives for Contaminated land, piling foundations, dust management plan and construction hours

**United Utilities:** No objections subject to conditions for updated foul and surface water drainage schemes, and sustainable drainage management and maintenance plan

**Cheshire Police – Designing out Crime Officer:** No objections raised, however highlight elements of the design which could be improved in relation to Designing out Crime.

**Cheshire Fire and Rescue Service:** No comment on the scheme – highlight the positive benefits of a sprinkler system.

#### **CREWE TOWN COUNCIL:**

The committee made the following observations:

- i. That the Cheshire Police observations and comments relating to designing out crime should be considered in detail for inclusion in the proposals
- i. That the concerns of residents that have been raised relating to loss of amenity and over-development of the site should be considered and addressed where appropriate
- ii. That the development should provide for sustainable energy production (eg PV) to meet planning policy and sustainability targets
- iii. That the development should provide for Net Biodiversity Gain to meet planning policy
- iv. That the development should provide for additional parking to meet planning policy

#### **OTHER REPRESENTATIONS:**

Letters of objection have been received from 5 neighbouring properties, which raise the following points:

- Impact on neighbouring amenity due to overlooking, and overbearing, impact, over shadowing, lack of privacy.
- Located too close to existing neighbouring properties.
- The existing site already causes problems with neighbours by means of noise, light pollution, bin location.
- Location of bin store, issues of smell, rodents etc
- Lack of parking provision
- Existing landscaping on site is not regularly maintained, will the new planting be?
- Will the crossing on Dunwoody Way be moved to accommodate the new access?

#### **OFFICER APPRAISAL**

##### **Principle of Development**

The application site is situated within the Crewe Town settlement boundary. Crewe is designated as a Principal Town, and within the settlement boundary development proposals

will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

The principle of residential care development (Class C2) is considered to be acceptable and would make an efficient use of this site.

### **Design**

The proposed building will be separate from the existing care home on the site, with the access in between and the car park re-located to the rear. The building will be largely two storeys in height facing Dunwoody Way with some staff accommodation (staff room, kitchen, offices and plant) within the roof space.

The general design and materials proposed are considered to be acceptable and replicate the general principles of the existing building on the site.

The design is less dominant than the previous scheme and has a much better relationship with the street scene, neighbours and existing nursing home on the site. The building has been moved forward on the site and away from the neighbours back gardens.

It is considered that the proposal is acceptable and of a design that would not harm the character and appearance of the area.

### **Amenity**

The proposed building is located on land, which is currently grassland, set aside as landscaping for the existing care home. The building has been located to the front of the site fronting onto Dunwoody Way.

Policy HOU 13 (Residential Standards) of the SADPD sets out the separation standards which should be met for new developments. The guidance suggests a requirement for at least 18m between front-to-front elevations (increased to 20m when 3 storeys or more); 21m between rear to rear elevations; and 14m between habitable rooms to non-habitable windows.

The building has principal bedroom windows on the frontage facing the apartments on Dunwoody Way, Partridge House. The bedrooms are located at ground floor level and first floor level, with staff accommodation within the roof. The majority of the windows are 21m away from the windows of the apartments, however there is a slight reduction in distance to 20m between the turret window features on the apartment and the gable projections on the proposed care home. Nevertheless, these meet the required separation standards and therefore are considered to be acceptable.

The proposed building will be located 14m from the side elevation of No.38 Moss Field Place. There are no windows proposed on the closest elevation to 38 Moss Field Place and only windows serving corridors on that elevation. The development also has windows on the northwest elevation of the outrigger which face towards Moss Field Place, however there is no direct overlooking of neighbouring windows or gardens as the orientation means the windows which serve communal lounge areas on the ground and first floor look towards the road/parking area of the street.

The outrigger elevation facing towards the parking area is located 18m from the boundary with the neighbouring dwellings and 24m from the rear elevations. The windows on this elevation serve corridors, stores, plant and staircases. Therefore, although will be visible from the neighbouring properties it will not have a significant impact on terms of overlooking or over bearing impact.

The scheme has considered the location of windows and reduced direct overlooking to meet the relevant spacing standards. With the addition of some screen planting along the boundaries to reduce the impact of cars parking, it is considered that the proposed development is acceptable and will have no significantly detrimental impact on neighbouring amenity. The existing bin store is shown on the plans, with an additional bin storage area which is away from the neighbouring dwellings and therefore should not impact on neighbouring amenity.

There is a separation distance of at least 21m between the existing and proposed care home buildings which will help retain amenity standards for both existing and future occupiers of the site.

Whilst the previous scheme was refused due to neighbouring amenity concerns, it is considered that the revised design and location of the care home have addressed these issues and the revised scheme is now in compliance with the Policies HOU 12 and HOU 13 of the SADPD.

It is noted that within the letters of objection issues of light and noise pollution have been raised in relation to the existing use of the site. Although noted this is not a matter that could be addressed in this application and any significant noise nuisance can be dealt with by Environmental Protection legislation. External lighting for the proposed development can be conditioned and a scheme to reduce impact on neighbouring properties could be secured.

The Environmental Protection Team have been consulted on this application and have raised no objections to the proposal subject to the conditions for EVI, low emission boilers, sustainable travel plan, Contaminated land method statement, verification report, soil importation and unexpected contamination. These are considered to be reasonable if the application is approved.

## **Highways**

The site is within the urban area of Crewe with established footway access to the surrounding area including to nearby shops and bus stops. There are also local off-road cycle routes to nearby residential areas, and the site is considered to have adequate sustainable connections.

There is a ghost island access into the existing site and car park, and to accommodate the proposal it is to be relocated approximately 25m to the south. The new access will be built to adoptable standards and maintain adequate visibility and does not raise a safety concern.

As a result of the new access, the existing pedestrian refuge crossing will be relocated northwards by 20m. It will be north of the access which is also acceptable and there will remain an informal pedestrian crossing to the south adjacent to the roundabout. The Strategic Highways officer notes that at the technical approval stage these works would also be subject to Road Safety Audits.

The existing 84 bed care home provides 38 car parking spaces and with the proposed additional units the overall provision will be increased to 47 spaces. The parking is split over 2 sections; one accessed from Dunwoody Way to north of the building and another from the Bombardier access to the south of the building.

The proposal is for a 24-bed specialist care home with 9 additional car parking spaces overall, and the Highways Officer notes that the additional spaces provided are below CEC requirements. Nevertheless, the applicant has carried out staff travel surveys which have shown that around a third arrive by car and over 40% walk to the site. The rest use public transport, cycle, or get a lift.

Parking accumulation surveys have also been carried out on a weekday and a weekend. It showed a peak weekday demand of 27 spaces (73% of provision) and a weekend peak demand of 23 spaces (62% of provision). If this is extrapolated to include the proposed development, it would equate to a peak weekday demand of 35 spaces and a weekend peak demand of 26 spaces. The car park is at its busiest during shift change but the 47 spaces proposed are sufficient to cater for the development. Cycle parking is also being provided.

The Highways Officer notes that it appears the existing southern small car park is not being used a lot by staff resulting in the northern one being fully used at times. To assist with this the applicant has suggest a car park management plan which will ensure more efficient use of the whole car park and also ensure that is being used solely by care home staff and visitors. The Strategic Highways officer therefore has raised no objections to the scheme, subject to conditions for the new pedestrian crossing and access to be installed prior to commencement of the extension and a car park management plan to be submitted and approved.

It is therefore considered the proposed development is acceptable and would not cause and significant highway safety concerns.

### **Forestry and Landscape**

The proposed development would result in the loss of areas intended as garden and landscaped space to be used in conjunction with the original building. Nevertheless, the scheme is much improved from the previously refused scheme and subject to a full landscape scheme been conditioned to included planting and boundary treatment, no concerns are raised in relation to the landscape impact of the development.

The development area comprises of existing relatively immature planting which forms part of the approved landscape works associated with the care home. This proposal has been supported by an Arboricultural Impact Assessment and Method Statement (MG/7208/AIA&AMS/SEP23) which confirms the development would arise in the loss of 10, young, low-quality trees, some hedgerows and shrubbery. The landscape plan submitted in support of this application indicates that 17 new trees will be planted in addition to new hedgerows and shrubbery. The losses as proposed will not have a significant impact on the amenity of the area and the number of replacement trees appears to accord with the requirements of Policy SE5.

The scheme is therefore considered to be acceptable subject to conditions.



## **PLANNING BALANCE AND CONCLUSIONS**

The proposal seeks an extension to the existing Care Home provision to accommodate an additional building with 24 new bedrooms, extended car park and landscaping.

The proposal is for C2 residential care with occupants living within bedrooms. It is noted that the development would bring benefits in relation to additional care home provision for the population.

There is no impact on highway safety, subject to conditions, and similarly no issues in relation to landscaping, drainage, and cycle storage provision, subject to conditions.

It is considered that the design, location and scale of the building is appropriate for its proposed use and when viewed within the context of the wider area.

The previously refused scheme raised concerns in relation to amenity and it is considered that this application has addressed those concerns by locating the building away from the neighbouring rear gardens and elevations, and the location of the car park to the rear. The proposed building meets the required separation standards and is therefore considered to be acceptable in terms of neighbouring amenity.

It is therefore considered that the proposal is acceptable and in general accordance with the development plan and therefore recommended for approval accordingly.

## **RECOMMENDATION**

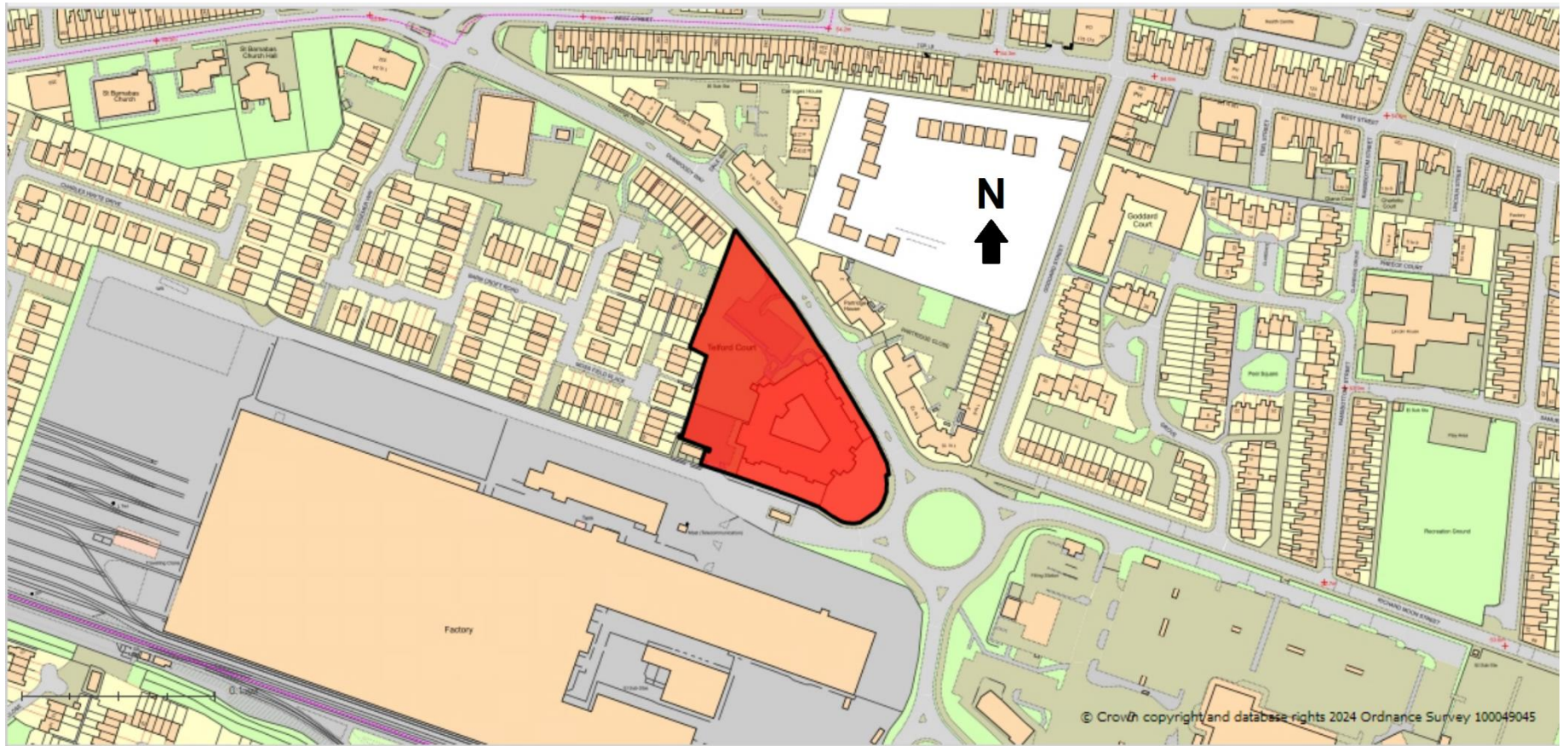
**Approve subject to the following conditions:**

- 1. Standard Time**
- 2. Approved plans**
- 3. Materials as proposed**
- 4. Landscaping plan**
- 5. Landscaping implementation**
- 6. Boundary Treatment**
- 7. External lighting plan**
- 8. Provision of the new pedestrian crossing and new access**
- 9. Submission of car park management plan**
- 10. EV Charging provision**
- 11. Low emission boilers**
- 12. Sustainable travel plan**
- 13. Contaminated land method statement**
- 14. Contaminated land - verification report**
- 15. Soil importation**
- 16. Unexpected contamination,**
- 17. Updated foul and surface water drainage schemes**
- 18. Sustainable drainage management and maintenance plan**
- 19. AIA and AMS implementation**



**20. Bin and cycle storage**

**In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.**



23/3881N  
TELFORD COURT  
DUNWOODY WAY  
CREWE  
CW1 3AW



Red Line Site Area: 0.86ha

A Site area updated DB 17 July 2023  
 \* First Issue. AeJ 15 Feb 2023

condylofthouse  
architects

Client  
Inspired Life Care

Project Proposed 24 Bed Specialist Unit,  
Dunwoody Way, Crewe

Title  
Existing Site Location Plan

Scale 1:1250@A4 Date Feb 2023 Drawn By PROMAP

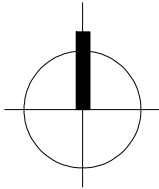
Drawing No 18-246-10 Revision A

PLANNING ISSUE

Existing Site Location Plan  
1:1250@A4

Unit 17 Connect Business Village  
24 Derby Road  
Liverpool L5 9PR  
0151 207 4371  
info@condylofthouse.co.uk  
www.condylofthouse.co.uk





Notes

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All dimensions are to be checked on site. Do not scale from this drawing, work to figured dimensions only. Any queries please contact condy lofthouse architects.

Materials Prohibited

- Materials prohibited from use, except where used in accordance with 'Good Practice in the Selection of Construction Materials (March 2011)' or unless required by the Contract:
- a) high alumina cement in the structural elements;
  - b) wood wool slabs in permanent formwork to concrete;
  - c) calcium chloride admixtures for use in reinforced concrete;
  - d) asbestos or asbestos-containing products, as defined in the 'Control of Asbestos at Work Regulations, as amended 2012' or any other statutory modification or re-enactment thereof;
  - e) any naturally occurring or man made mineral fibres (for example, rock-wool or slag wool) with a thickness of 3 microns or less and a length of 200 microns or less, unless they are appropriately sealed to prevent migration of fibres;
  - f) aggregates for use in reinforced concrete which do not comply with:  
'BS EN 12620:2002: Properties of aggregates used in concrete.'  
'BS EN 13139:2002: Properties of aggregates used in mortar.'  
'BS EN 13055 (Parts 1 & 2): properties of lightweight aggregates.'  
'Guidance on avoiding alkali-silica reaction and limitations on alkali content in BRE Digest 330 (2004)' & 'Concrete Society Technical Report 30 (1999)';
  - g) lead, lead paint or any other materials containing lead which may be ingested, inhaled or absorbed, except where copper alloy fittings also containing lead are specifically required in drinking water pipework by any relevant statutory requirement or where lead flashings or other lead roof coverings are specifically provided for in the Contract;
  - h) urea formaldehyde foam or materials which may release formaldehyde in quantities which may be hazardous with reference to the limits set by the Health and Safety Executive;
  - i) calcium silicate bricks or tiles;
  - j) vermiculite unless it is established as being fibre-free; calcium silicate bricks or tiles;
  - k) any products containing cadmium referred to in Statutory Instrument 'SI 2006/3311 Controls on dangerous substances and preparations Regulations 2006'. Reference should also be made to 'HSE IDGE391 Cadmium and you';
  - l) any new timber treated with pentachlorophenol;
  - m) non galvanised mild steel structural fixings for building elements particularly susceptible to erosion;
  - n) concrete used in circumstances where it is susceptible to alkali/silica reaction;
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Additional Notes

These drawings are based on OS map information.  
The drawing is subject to local authority approval. All dimensions are to be checked on site prior to any works commencing. Any queries are to be raised with the Architect



Site Area 0.86ha
Existing schedule of accomodation
84no. Bedroom care home
Parking provisions
38 car parking spaces total.
23 visitor car parking spaces including 2no. accessible bays and 1no. electric car charging bay.
15no. staff parking spaces
2no. sheffield bike stands
Bin store provision
8no. Euro bins located in external bin store

D Updated car parking note.	AB 18-08-2023
C Updated to suit topographical survey information	DB 28-07-2023
B Scale Bar Added	DB 24-07-2023
A Further information added	DB 17-07-2023
* First Issue	AeJ 15-02-2023



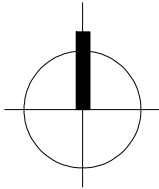
Client		
Inspired Life Care		
Project		
Proposed 24 Bed Specialist Unit, Dunwoody Way, Crewe		
Title		
Existing Site Plan		
Scale	Date	Drawn By
1:500@A2	Feb 2023	AeJ
Drawing No	Revision	
18-246-100	D	

PLANNING ISSUE

Unit 17 Connect Business Village  
24 Derby Road  
Liverpool L5 9PR

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<b>Site Area 0.86ha</b>
<b>Proposed schedule of accomodation</b>
1no. Existing 84no. Bedroom care home 'Telford Court'.  1no. New 24no. Bedroom care home
<b>Parking provisions</b>
47 car parking spaces total.  37 visitor car parking spaces including 3no. accessible bays and 2no electric car charging bays.  10no. staff parking spaces
4no. sheffield bike stands
<b>Bin store provision</b>
8no. existing Euro bins 4no. new Euro Bins located in 2no. external bin stores

- Connection of proposed and existing adjusted SW drainage into existing 525dia UU sewer in road.
- Existing trees proposed removed.
- Proposed new 5.5m wide access road, 2m footpath to both sides, 10m radius
- Indicates existing and proposed SW storage and drainage to be adjusted to suit.
- Pedestrian crossing point defined by change in material/hardstanding.
- 2.4x43m visibility splays proposed
- Existing 2no. sheffield bike stands
- Proposed ambulance bay provided.
- Indicates proposed foul to connect to existing foul on site, which drains to existing 300dia combined sewer in road Bombardier.

Existing care home, 'Telford Court'

G	Provisional drainage connections indicated for SW and FW.	AeJ 26-09-2023
F	Updated to suit proposed landscaping.	AeJ 20-09-2023
E	Updated car parking note.	AB 18-08-2023
D	Alterations to suit topo survey	DB 28-07-2023
C	Alterations to suit floor plan changes	DB 27-07-2023



**Client**  
Inspired Life Care

**Project**  
Proposed 24 Bed Specialist Unit, Dunwoody Way, Crewe

**Title**  
Proposed Site Plan

<b>Scale</b>	<b>Date</b>	<b>Drawn By</b>
1:500@A2	Feb 2023	AeJ

<b>Drawing No</b>	<b>Revision</b>
18-246-101	G

**PLANNING ISSUE**

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'Guidance on avoiding alkali-silica reaction and limitations on alkali content in BRE Digest 330 (2004)' & 'Concrete Society Technical Report 30 (1999)';
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  - j) vermiculite unless it is established as being fibre-free; calcium silicate bricks or tiles;
  - k) any products containing cadmium referred to in Statutory Instrument 'SI 2006/3311 Controls on dangerous substances and preparations Regulations 2006'. Reference should also be made to 'HSE IDG391 Cadmium and you';
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A Revised to suit planning comments. extent of render altered to corner opposite vehicular entrance.

AeJ 21-03-2024



Client

Inspired Life Care

Project

Proposed 24 Bed Specialist Unit, Dunwoody Way, Crewe

Title

Proposed Streetscene - Dunwoody Way

Scale	Date	Drawn By
1:200@A2	Aug 2023	DB

Drawing No	Revision
18-246-203	A

PLANNING ISSUE

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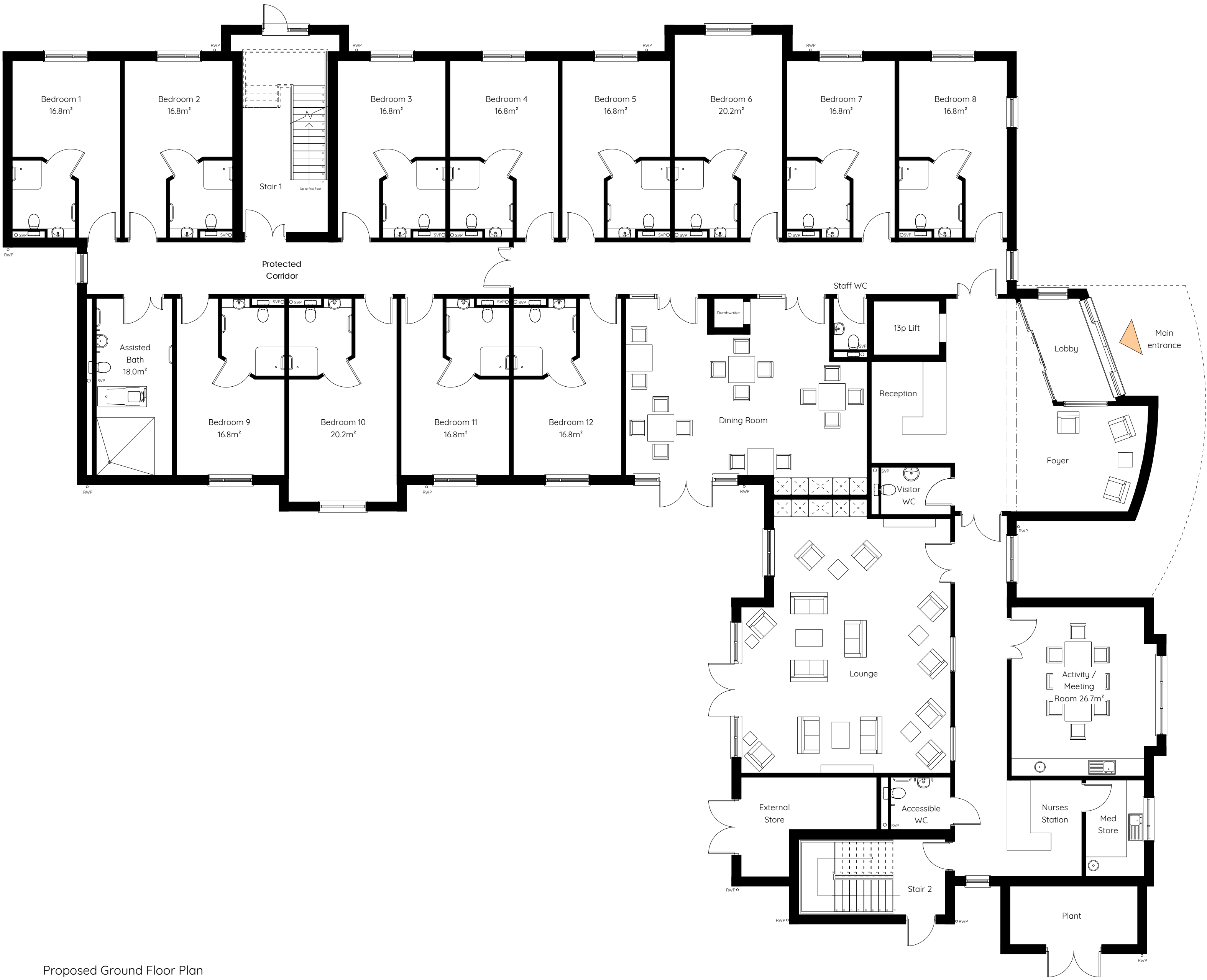
Additional Notes

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<b>Approx Gross Internal Floor Areas:</b>	
Ground Floor: 693m <sup>2</sup>	
First Floor: 654m <sup>2</sup>	
Rooms in Roof: 244m <sup>2</sup>	
Total Approx GIFA: 1591m <sup>2</sup>	
<b>Approx Gross External Floor Areas:</b>	
Ground Floor: 745m <sup>2</sup>	
First Floor: 702m <sup>2</sup>	
Rooms in Roof: 264m <sup>2</sup>	
Total Approx GEFA: 1711m <sup>2</sup>	



Proposed First Floor Plan  
1:100@A1



Proposed Ground Floor Plan  
1:100@A1

D Revised to suit planning comments. Window added to gable of bedrooms 8 and 20.

AeJ 21-03-2024



Client  
Inspired Life Care

Project  
Proposed 24 Bed Specialist Unit,  
Dunwoody Way, Crewe

Title  
Proposed Ground and First Floor Plans

Scale	Date	Drawn By
1:100@A1	Feb 2023	AeJ

Drawing No	Revision
18-246-200	D

**PLANNING ISSUE**

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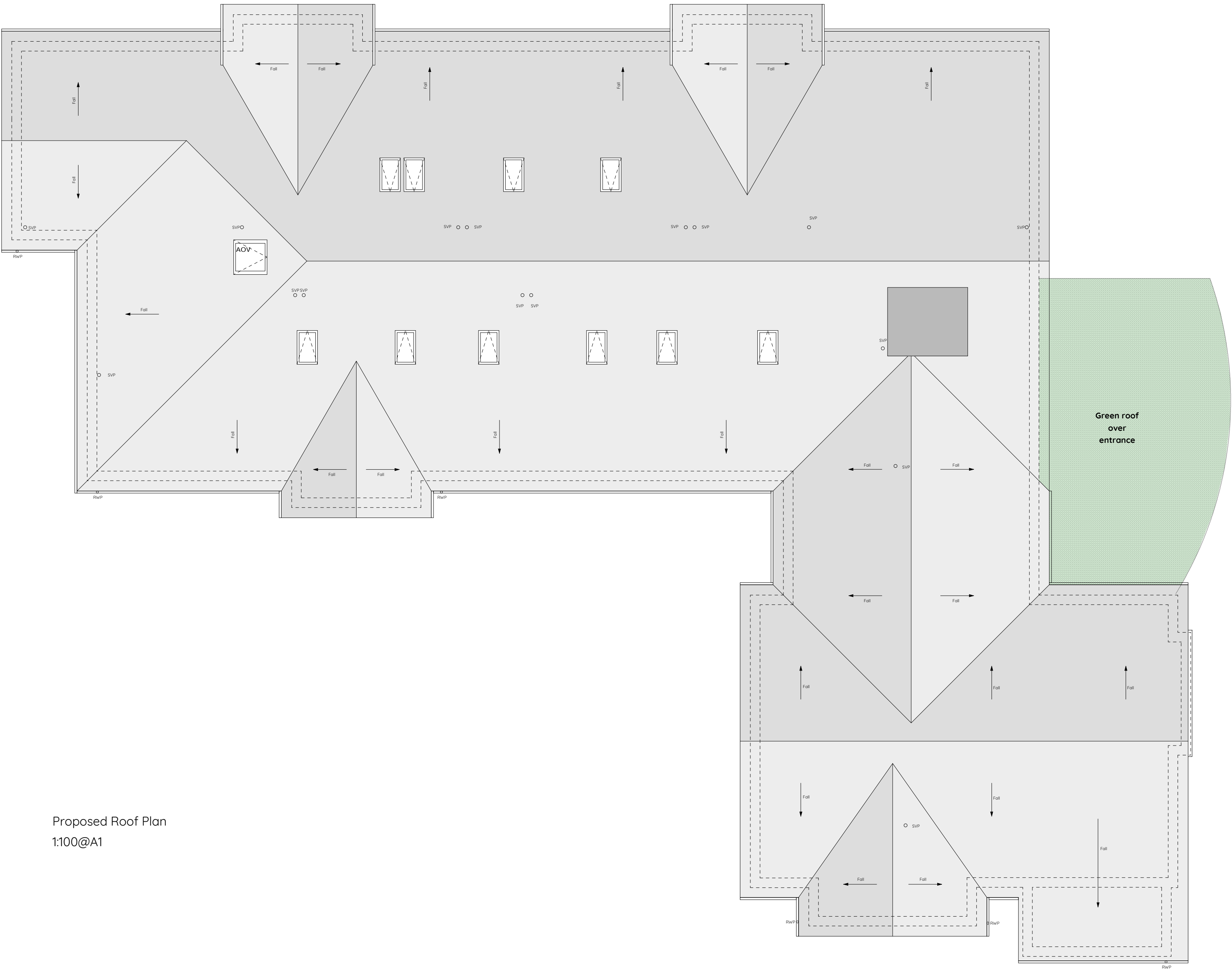
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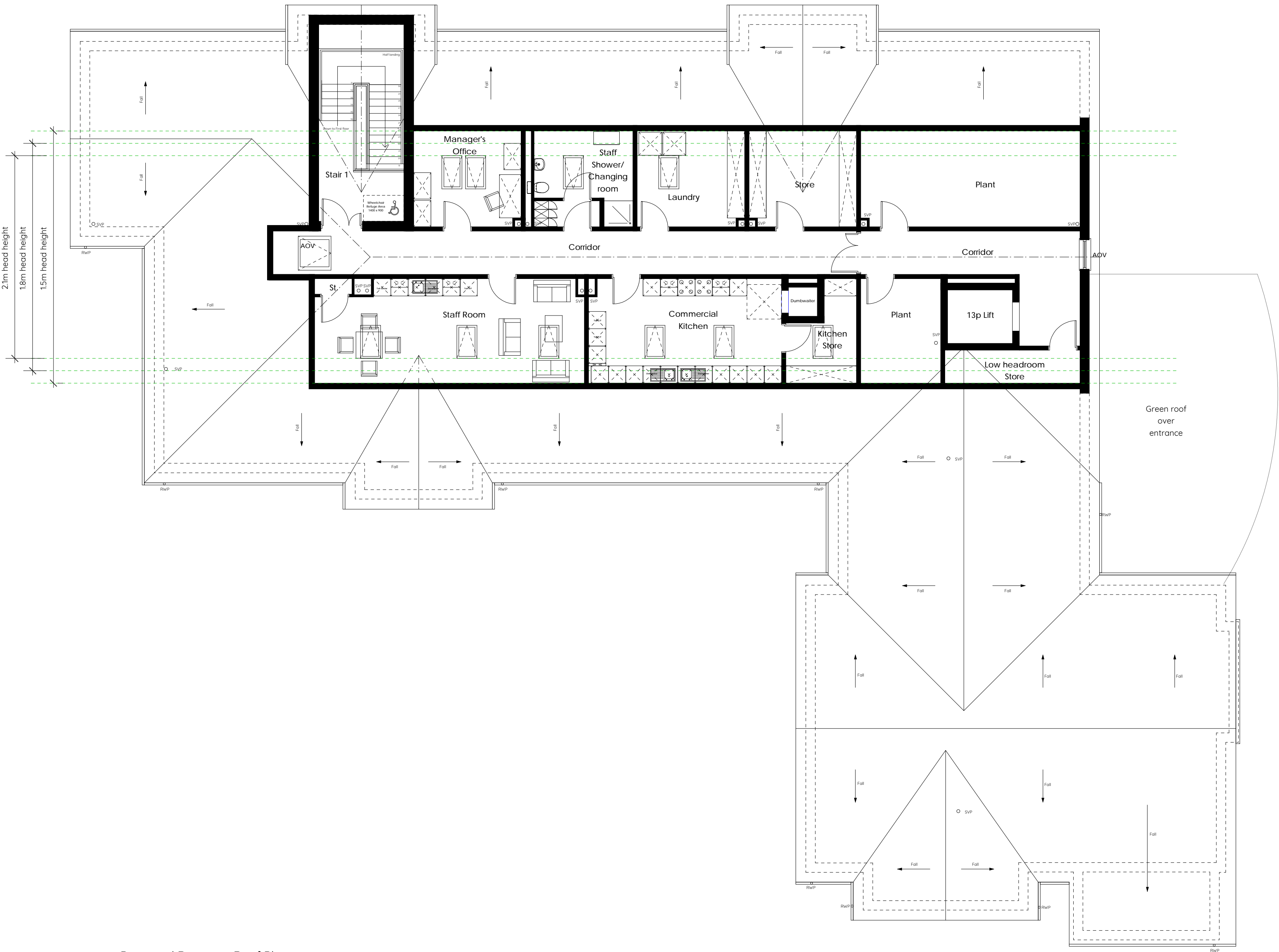
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Rooms in Roof: 264m <sup>2</sup>	
Total Approx GEFA : 1711m <sup>2</sup>	



Proposed Roof Plan  
1:100@A1



Proposed Rooms in Roof Plan  
1:100@A1

X First Issue AeJ 17-10-2023



Client  
Inspired Life Care

Project  
Proposed 24 Bed Specialist Unit,  
Dunwoody Way, Crewe

Title  
Proposed Top Floor and Roof Plans

Scale	Date	Drawn By
1:100@A1	Feb 2023	AeJ

Drawing No	Revision
18-246-201	X

**PLANNING ISSUE**

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Total Approx GIFA : 1591m<sup>2</sup>

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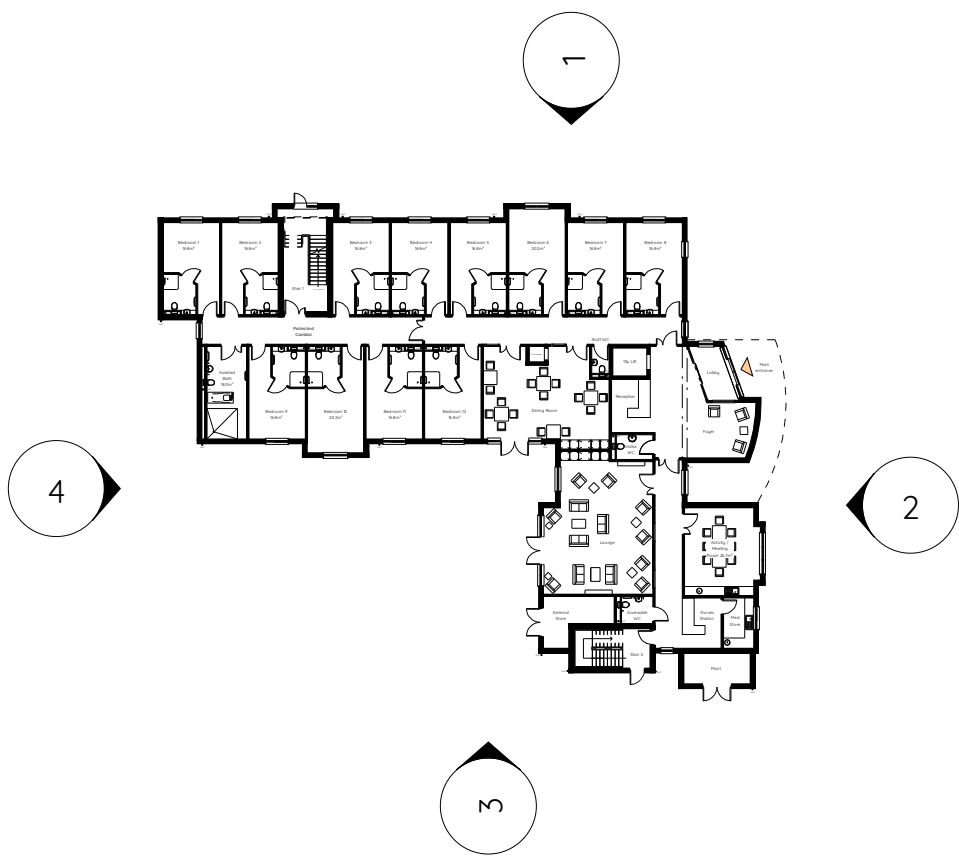
Total Approx GEFA : 1711m<sup>2</sup>



1. Proposed Front Elevation - Facing Dunwoody Way  
1:100@A1



2. Proposed Side Elevation - Facing Main entrance  
1:100@A1



Facing Materials

- 1. Facing Red Brick - Ibstock Alderley Burgundy Wirecut facing Brick
- 2. K-Rend Silicone FT Grade (Hand applied)
- 3. Santofit Rivius Concrete Roof Tile, Antique Slate effect
- 4. Caststone Cills and banding courses - Colour - Portland
- 5. UPVC rainwater goods - Dark Grey
- 6. UPVC windows - Light Grey, RAL 7038
- 7. UPVC Rooflights



3. Proposed Rear Elevation - Facing Car Park  
1:100@A1



4. Proposed Side Elevation - Facing Courtyard  
1:100@A1

B Revised to suit planning comments. 2no. windows added and extent of render altered to corner opposite vehicular entrance, elevations 1&2. AeJ 21-03-2024



Client  
Inspired Life Care

Project  
Proposed 24 Bed Specialist Unit,  
Dunwoody Way, Crewe

Title  
Proposed Elevations

Scale Date Drawn By  
1:100@A1 July 2023 DB

Drawing No Revision  
18-246-202 B

PLANNING ISSUE

Unit 17 Connect Business Village  
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**OPEN**

## **Southern Planning Committee**

**1<sup>st</sup> May 2024**

### **Planning Enforcement Performance Update**

---

**Report of: David Malcolm, Head of Planning**

**Ward(s) Affected: All**

#### **Purpose of Report**

- 1 To update Members on the performance of planning enforcement during the last quarter of 2022/2023 and the year of 2023/2024.
- 2 The report is for information only.

#### **Executive Summary**

- 3 The report provides statistical information in relation to the performance of planning enforcement during the last quarter of 2022/2023 and the year 2023/2024. It includes information in relation to the number of notices served or other actions taken in addition to quantifying the workflow through the service during this time. The report also includes a status report on those cases where formal enforcement action has been taken.

<b>RECOMMENDATION</b>
The Strategic Planning Board is requested to:  1. Note the content of the report.



#### **Background**

- 4 The last performance report was presented to Members of the committee in March 2023. A further update report was scheduled for April 2024.
- 5 Whilst overall the number of alleged breaches reported fell during 2022, 871 compared to 1069 in 2021, it appears that the number of reports is again on the increase with 982 being received in 2023. So far in 2024, 233 alleged breaches have been reported.

Quarter	Cases Opened	Cases Closed
January 2023 - March 2023	252	183
April 2023 - June 2023	239	146
July 2023 - September 2023	270	167
October 2023 - December 2023	209	168
January 2024 – March 2024	233	154

The following table breaks down the number of complaints received by type. Members will note that by far the highest number relate to operational development.

Nature of Complaint	Jan 2023 - Mar 2023	Apr 2023 - Jun 2023	Jul 2023 – Sep 2023	Oct 2023 – Dec 2023	Jan 2024 - Mar 2024
S215	2	5	6	3	4
Adverts	1	4	2	8	8
Trees in Conservation Areas	1	1	0	0	0
Non-compliance with conditions	47	37	36	31	44
Material change of use	59	46	66	48	53
Operation Development	127	142	150	114	112
TPO	15	9	10	5	11

- 6 The following table sets out the reasons for closure of cases per quarter. A common thread running through all quarters is that the majority of cases are closed because the matter reported did not represent a breach of planning control. In the main this would be as a result of the development being permitted development under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015. Members will no doubt be aware that the provisions of the Order have been significantly expanded since 2015 with further amendments proposed. This effectively means that less development falls within the control of the Local Planning Authority (LPA). This trend means that it is increasingly difficult to manage public expectations as lack of action is still often seen as a failure the LPA to act.

<b>Reason for Closure</b>	<b>Jan 2023- Mar 2023</b>	<b>Apr 2023- Jun 2023</b>	<b>Jul 2023 – Sep 2023</b>	<b>Oct 2023 – Dec 2023</b>	<b>Jan 2024- Mar 2024</b>
Not Expedient	28	14	18	13	25
Complied Voluntarily	35	20	25	25	36
No Breach	85	98	101	116	79
Not Development	5	3	1	2	0
Permission Granted	23	10	16	8	7
Special Circumstances	3	3	3	2	3
Immune	0	0	1	0	1

- 7 The third quarter of 2023 saw a significant number of notices being issued. This included 5 on one site. In this instance it was necessary to stop works which were causing or likely to cause significant demonstrable harm to trees within a Conservation Area. A Planning Contravention Notice, two Temporary Stop Notices, an Enforcement Notice and Stop Notice were issued in quick succession. This resulted in officers being pulled away from dealing with other matters for a period of time which, of itself, can lead to additional backlogs. However, at times resources must be channelled to those cases where clear and demonstrable harm is being or is likely to be caused. This can often be to the detriment of progressing other matters where a similar level of harm cannot be demonstrated.
- 8 It is of note that there may be some stages within an investigation where information cannot be publicly shared because it may prejudice the Council's case.
- 9 The Following table provides information on the number of notices served with the reporting period. Further details in relation to the notices can be found at Appendix 1 to this report. For ease of reference notices served since the last report are in red.

<b>Action Type</b>	<b>Jan 2023 - Mar 2023</b>	<b>Apr 2023 - Jun 2023</b>	<b>Jul 2023 – Sep 2023</b>	<b>Oct 2023 – Dec 2023</b>	<b>Jan 2024 - Mar 2024</b>	<b>Total</b>
PCN	3	5	11	2	2	24
Enforcement Notice	1	6	8	5	4	24
Temp Stop Notice	2	0	3	0	0	5
Breach of Condition Notice	1	0	2	0	1	4
Listed Building Enforcement Notice	0	1	0	1	0	2
Injunction	0	0	0	0	0	0
S215 Notice	0	0	0	0	0	0

- 10 The above table demonstrates that there has been significant amount of activity in relation to the number of notices which have been served throughout the reporting period. However, it should be noted that notices are only served in a very small percentage of cases and are done so as a last resort in most instances. Every effort is made to secure a remedy through negotiation and with the agreement of the alleged transgressor in the first instance. This is usually the swiftest and most effective way to deal with breaches of planning control. Many of which can be regularised through the submission of a planning application and therefore brought within the control of the Local Planning Authority.
- 11 So far 10 appeals have been lodged in relation to the Council's decision to issue an enforcement notice. At present the Planning Inspectorate (PINS) are experiencing capacity issues, particularly when dealing with enforcement appeals. This is having a direct effect on the time it is taking them to reach a decision on an appeal. The LPA has received a letter from PINS in relation to a number of appeals advising that they are currently unable to allocate to an Inspector to undertake the necessary site visit and as a consequence they can give no indication when a decision may be reached. This is an extremely frustrating situation and one which the LPA is unable to influence in any way. To date only 1 decision has been received in relation to those 10 appeals, it was dismissed, and the notice was upheld. In addition, one appeal has been withdrawn.
- 12 By way of an example of the delays being experienced an appealed notice issued in March 2022 only received a decision in March 2024. While not all as a result of delays by PINS, and partly due to the appellant albeit failing to agree to a rescheduled hearing date within a reasonable timescale, it shows the timeframes involved. In another example a notice issued in October 2021 did not receive a decision until October 2023.
- 13 The above demonstrates how cases can become extremely protracted due to external factors which can be extremely frustrating for Members, residents and officers alike.
- 14 Similar circumstances can arise during prosecution proceedings. It is not uncommon for a first hearing to be adjourned with no plea having been entered. If at a subsequent hearing a not guilty plea is entered a further adjournment for a trial date will be necessary. This can result in there being many months between an initial court date and decision.
- 15 Members may recall a press release from February in relation to a landowner and his wife who had failed to comply with the requirements of a high court injunction. Those requirements included the cessation of any residential use of the land by 15<sup>th</sup> July 2024. All buildings included in the injunction must be demolished by 26<sup>th</sup> January 2025. All a timetable for all other requirements of the order must be agreed with the Council by no later than 31<sup>st</sup> August 2024. The judge imposed a 12-month suspended sentence. If the landowner fails to meet the requirements by the timescales set and further committal proceedings are successful, he will have to serve a term in prison.

- 16 Whilst both parties were found guilty the judge did not impose any sentence on the wife as he did not consider there to be a sufficient level of culpability on her part.
- 17 The above clearly demonstrates why injunctions are very the last resort tool available to planning enforcement and should only be used in a situation whereby the LPA is satisfied that a judge may be willing to impose a custodial sentence having regard to the level of culpability.
- 18 Some members will recall that reference was made in the previous report to an outstanding payment of court costs amounting to £18,597. The Council sought a charging order to recover these costs as the defendant had failed to pay within the required 21 days. The matter was heard in the magistrates' court in Telford. A charging order, a way of securing a debt against a debtor's assets, was made and an application has been made to HM District Land Registry to have it placed as a restriction on the title. Since the charging order was made additional costs have been awarded to the Council as a result of further proceedings. An application is to be made to add these to the order. These include £10,000 in relation to an unsuccessful appeal to the Court of Appeal in London on 12<sup>th</sup> March 2024. The appeal was against the decision of the High Court to commit him to prison.
- 19 The migration to the new Development Management computer system remains ongoing. When fully implemented it should be possible to streamline ways of working and improve capability to keep Members and customers updated on more regular basis.

### **Consultation and Engagement**

- 20 Consultation and Engagement has not been required because the purpose of this report is for information only.

### **Reasons for Recommendations**

- 21 The information contained within the report is to update Members on performance only.

### **Other Options Considered**

- 22 N/A

### **Implications and Comments**

#### ***Monitoring Officer/Legal***

- 23 No direct comments as report is for information only.

#### ***Section 151 Officer/Finance***

- 24 No direct comments as report is for information only.

**Policy**

- 25 It is an objective of the Corporate Plan for new development to be appropriately controlled to protect and support our borough and to have robust and effective planning enforcement.
- 26 Service provision should be provided in accordance with the Cheshire East Enforcement Policy and the service specific adopted Planning Enforcement Policy.

**Equality, Diversity and Inclusion**

- 27 No direct implication.

**Human Resources**

- 28 No direct implication.

**Risk Management**

- 29 No direct implication.

**Rural Communities**

- 30 No direct implication.

**Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)**

- 31 No direct implication.

**Public Health**

- 33 No direct implication.

**Climate Change**

- 34 No direct implication.

<b>Access to Information</b>	
Contact Officer:	Deborah Ackerley deborah.ackerley@cheshireeast.gov.uk
Appendices:	Appendix 1 – Status report on cases where formal enforcement action has been taken.
Background Papers:	Corporate Plan / Cheshire East Enforcement Policy / Planning Enforcement Policy



## Appendix 1 – Enforcement Update April 2024

SITE	Ward	Breach	Type of Notice	Current Status
The Quinta, Beechfield Road, Alderley Edge	<b>ALDERLEY EDGE</b>	Unauthorised fencing	Enforcement Notice	Notice served. Appeal lodged. Still no start date letter from PINS as of 15 <sup>th</sup> March 2024
Chorley Old Hall, Chorley Hall Close, Alderley Edge	<b>ALDERLEY EDGE</b>	Unauthorised fencing	Enforcement Notice	Notice issued 09/08/2023. Compliance due. Planning Application 23/4061M refused appeal lodged 24 <sup>th</sup> January 2024.
8 Elm Crescent, Alderley Edge	<b>ALDERLEY EDGE</b>	Unauthorised fencing	Enforcement Notice	Notice served 09/08/2023. Appeal dismissed, notice upheld 22/01/2024 Compliance due 22 <sup>nd</sup> March 2024
Brookfield Stables, Watery Lane, Astbury	<b>ASTBURY</b>	Unauthorised stable block	Enforcement Notice	Enforcement Notice issued 17 <sup>th</sup> November 2016. Appeal dismissed. Initial site visit established notice not complied with. Successful prosecution December 2018 Fined £500 plus VSC. Stables still remain.  Further prosecution.
The Stables, Kynsal Lodge Buerton	<b>AUDLEM</b>	Listed Building	Listed Building Enforcement Notice	Listed Building Enforcement Notice issued August 2022 Appeal dismissed requirements of notice varied. Awaiting full compliance.
Aston House Farm, Wrenbury Road, Aston	<b>AUDLEM</b>	Listed Building	Listed Building Enforcement Notice	LBEN issued 6 <sup>th</sup> April 2023. Compliance due 9 <sup>th</sup> August 2023 Compliance visit due March 2024.
Dairy House Farm, Wrenbury Heath Road, Sound	<b>AUDLEM</b>	Unauthorised extensions and alterations to a dwelling.	Enforcement Notice	Notice issued. No Appeal. Compliance due January 2025.

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Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	<b>BOLLINGTON</b>	Unauthorised erection of two buildings and an area of hardstanding	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Owner refused permission to lodge appeal in High Court. Costs awarded in favour of Council. Two buildings removed and therefore Enforcement Notice substantially complied with, but seeking clarification from legal regarding expediency of pursuing reinstatement of land
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	<b>BOLLINGTON</b>	Unauthorised erection of two timber buildings	Enforcement Notice	Enforcement Notice issued – different building to those covered by previous Enforcement Notice. Appeal dismissed. Compliance due February 2015. Notice substantially complied with as both buildings removed. Area of hardstanding removed further visit required to establish if area has been seeded for grass.
George and Dragon, 61 Rainow Road, Macclesfield	<b>BOLLINGTON</b>	Untidy Land	S215 Notice	Untidy Land Notice issued 1 <sup>st</sup> March 2018. Compliance due July 2018. Notice not complied with. Prosecution proceedings instigated. The matter was heard in the Magistrates court on 19 <sup>th</sup> November 2019 and none of the defendants were present. The defendants were convicted in their absence and each fined £800 with a Victim surcharge of £80.00 each. Each defendant was ordered to pay £851.56 towards the Council's costs. Further site visit undertaken and the Notice has not been complied with. Planning application under consideration for the demolition of the pub and erection of houses. <u>The planning application has been refused.</u> Pursuing compliance with the Notice.  Trial listed for 1 <sup>st</sup> July 2024.
Jahanara Bhavan	<b>BRERETON RURAL</b>	Unauthorised operational development	Enforcement Notice	Planning application refused appeal decision awaited. Appeal dismissed April 2022– Notice required to be issued. Further appeal submitted and further application for CLEUD submitted.

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				Enforcement Notice issued 23/08/2023 – currently under appeal. Letter from PINS delay in site visit therefore delay in decision
Land South of Dragons Lane, Moston	<b>BRERETON RURAL</b>	Unauthorised Material Change of Use	Enforcement Notice	Notice served October 2021 appeal pending, still waiting for a hearing date from PINS (over 12 months)  Appeal hearing due 5 <sup>th</sup> September 2023. Appeal dismissed – compliance due November 2024.
Meadow View, Dragons Lane, Moston	<b>BRERETON RURAL</b>	Amendment to site layout including creation of new access	Breach of Condition Notice	Compliance due February 2024 Notice not complied with.
Lazarus Farm, Dragons Lane, Moston	<b>BRERETON RURAL</b>	Amendment to site layout including creation of new access	Breach of Condition Notice	Compliance due February 2024 Notice not complied with.
The New Inn, Newcastle Road, Betchton	<b>BRERETON RURAL</b>	Unauthorised material change of use scaffolders yard.	Enforcement Notice	Retrospective planning permission refused. Notice issued 1 <sup>st</sup> September 2023 No appeal Compliance due July 2024
Land off Chells Hill Road, Church Lawton	<b>BRERETON RURAL</b>	Unauthorised material change of use for motocross	Enforcement Notice	Notice issued 2 <sup>nd</sup> August 2023 Appeal lodged PINS holding letter no Inspector available for site visit.
Land South East of Warmingham Lane, Mostob	<b>BRERETON RURAL</b>	Unauthorised deposit of soil, materials and waste.	Temporary Stop Notice	TSN issued 11 <sup>th</sup> August 2023
White Lodge, Chester Road, Mere	<b>BUCKLOW</b>	Formation of an earth mound, hardtsanding, alterations to driveway,	Enforcement Notice	Enforcement Notice issued 22 <sup>nd</sup> March 2021. Appeal lodged. Appeal decided 29 <sup>th</sup> October 2021. Part allowed part dismissed. Earth bund granted planning permission, but weld mesh fencing and CCTV refused

## Appendix 1 – Enforcement Update April 2024

		erection of fence and aerial/CCTV pole		and requirements of enforcement notice in this regard remain. Compliance due February 2022.  Full compliance achieved CASE CLOSED.
The Chase Plumley Moore Road Plumley	<b>CHELFORD</b>	Unauthorised change of use of land from agricultural to garden, erection of gate, gate piers and hardstanding.	Enforcement Notice	Enforcement Notice issued 9 <sup>th</sup> December 2019. Compliance due 14 <sup>th</sup> April 2020. Appeal lodged 7 <sup>th</sup> January 2020. Appeal dismissed on 24 <sup>th</sup> August 2020. Compliance due by 24 <sup>th</sup> February 2021.  Site Visit to check compliance.  Land has changed hands. Officers working with new owners to achieve compliance. Further site visit required to check full compliance.
Woodend Nursery Stocks Lane Over Peover	<b>CHELFORD</b>	Unauthorised change of use of land to agriculture, horticulture and the parking of vehicles, formation of hardstanding, lighting columns, ticket machines and barrier.	Enforcement Notice	Enforcement Notice issued 21 <sup>st</sup> January 2020. Compliance due 28 <sup>th</sup> June 2020. Appeal lodged 5 <sup>th</sup> February 2020. Appeal dismissed January 2021. Compliance due May 2021 – site visit required to check compliance.  Partial compliance only
Wood Platt Cottage, Chelford Road, Marshall	<b>CHELFORD</b>	Unauthorised change of use of land to an unauthorised waste transfer site	Enforcement Notice	Enforcement Notice issued 25 <sup>th</sup> August 2017. Appeal dismissed 10 <sup>th</sup> January 2019, Compliance due 10 <sup>th</sup> June 2019. Notice partly complied with. Pursuing compliance with the Notice.  Under review.
Wood Platt Cottage,	<b>CHELFORD</b>	Unauthorised erection of a building	Enforcement Notice	Enforcement Notice issued 25 <sup>th</sup> August 2017. Appeal dismissed 10 <sup>th</sup> January 2019, the Notice was upheld. Compliance due 10 <sup>th</sup> September 2019. Notice not complied with. Pursuing compliance with the Notice.

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Chelford Road, Marthall				
Wood Platt Cottage, Chelford Road, Marthall	<b>CHELFORD</b>	Unauthorised erection of a building, walls, siting of portacabins, weighbridge and areas of hardstanding	Enforcement Notice	<p>Enforcement Notice issued 23<sup>rd</sup> March 2022, currently under appeal.</p> <p>Appeal postponed due to be heard 11<sup>th</sup> July 2023. No show by Inspector appeal finally heard 11<sup>th</sup> January 2024 – Appeal dismissed.</p>
Hawthorn House, Free Green Lane, Over Peover	<b>CHELFORD</b>	Unauthorised Building	Enforcement Notice	Enforcement Notice issued 12 <sup>th</sup> January 2017. Appeal dismissed. Partial award of costs awarded to the Council. Compliance due July 2018. Notice not complied with. Pursuing compliance with the Notice.
Land North of Pedley Lane, Timbersbrook	<b>CONGLETON EAST</b>	Unauthorised change of use from and agricultural use to a recreational and education use.	Enforcement Notice	<p>Enforcement Notice issued and appealed. Appeal dismissed 30 July 2010. Compliance due 30 March 2011. Works in default carried out August 2011 and site cleared of all buildings/shelters/animals. Occupier repopulated the site. High Court action instigated to secure an Injunction. Voluntary undertaking secured which required site clearance. Failed to comply, Committal proceedings instigated in High Court. Further agreement reached which required submission of Certificate of Lawful Use (CLUED). CLUED submitted. Appeal against non-determination of CLUED lodged. Council's statement submitted. Appeal withdrawn November 2014. Further breaches on site currently under investigation. Prosecution proceedings instigated in relation to non-return of Planning Contravention Notice. Landowners convicted in their absence fined £220 each, £250 costs each and Victim</p>

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				<p>surcharge £34 each. Further contact to be made requiring response to PCN.</p> <p>Court made an error in that they did not have regard to an email from the defendants advising why they could not attend court, case re-opened.</p> <p>An agreement was made outside of the court proceedings that the defendants would pay £15k towards the outstanding costs of works in default. In light of this and a commitment from the owner to pursue civil action against the current occupier to remove them from the site NFA in relation to the PCN.</p> <p>Ongoing issues, liaising the owners</p> <p>Occupier erected a dwelling on site but recently removed from the land.</p> <p>Site also subject to separate civil proceedings to evict occupier.</p> <p>Civil proceedings successful, occupier required to vacate by 3<sup>rd</sup> January 2023.</p> <p>Occupier did not vacate. Matter remains subject to civil proceedings.</p> <p>Owners civil action successful – occupier evicted from the land October 2024 CASE CLOSED</p>
34 South Bank Grove, Congleton	<b>CONGLETON EAST</b>	Untidy Land	S215 Notice	S215 Notice served 9 <sup>th</sup> June 2018. Partial compliance. Case to be reviewed.
Coole Acres, Coole Lane, Newall	<b>COOLE PILATE</b>	Breach of condition, temporary residential unit and business unit	Breach of Condition Notice	Breach of Condition Notice issued 12 <sup>th</sup> January 2016 Compliance due November 2017. Further application submitted to amend condition in relation to temporary residential unit and business unit. Application refused, appeal lodged. Appeal dismissed in relation to

## Appendix 1 – Enforcement Update April 2024

				temporary residential unit. Condition No. 5 requires its removal July 2020. Site visit required to check compliance and any necessary further action.
Coppenhall House, Groby Road, Crewe	<b>CREWE EAST</b>	Unauthorised material change of use of a stable building to B8 warehouse and distribution with ancillary offices.	Enforcement Notice	Enforcement Notice issued. Appeal dismissed January 2020. Currently pursuing compliance with Notice. Owner has failed to respond to request to attend an interview under caution.  Building to which notice relates burned down, effectively forcing compliance with notice 2022. Appears owner may have relocated the business into the dwelling under investigation.
4 Hall O Shaw Street	<b>CREWE EAST</b>	Untidy Site	S215 Notice	Untidy Land Notice issued 15 <sup>th</sup> September 2016. Notice not complied with. Conviction secured. Continued failure to comply with notice. Further prosecution instigated, conviction secured. Further site visit required. Some works of demolition have now been undertaken – to be reviewed.
Land at Maw Green Road, Crewe	<b>CREWE EAST</b>	Untidy Land	S215 Notice	Notice served 27 <sup>th</sup> September 2019. Land alleged to have been sold. If land has been sold further notice required. Recent planning application for a single dwelling refused. Case to be reviewed.
221 Broad Street, Crewe	<b>CREWE EAST</b>	Unauthorised single storey front extension	Enforcement Notice	Notice issued 8 <sup>th</sup> March 2024, effective 12 <sup>th</sup> April 2024.
24 Gresty Road, Crewe	<b>CREWE SOUTH</b>	Untidy Land	S215 Notice	Untidy Land Notice issued. Compliance due January 2015. Notice not complied with. Case referred to Multi Agency Group for discussion regarding hoarding activity. – Properties sold, further site visit required.

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20 Gresty Road, Crewe	<b>CREWE SOUTH</b>	Untidy Land	S215 Notice	Untidy Land Notice issued. Compliance due January 2015. Notice not complied with. Case referred to Multi Agency Group for discussion regarding hoarding activity – properties sold, further site visit required.
15 White Hart Lane, Wistaston	<b>CREWE SOUTH</b>	Unauthorised operational development.	Enforcement Notice	Enforcement Notice issued 21 <sup>st</sup> April 2023. Compliance due 26 <sup>th</sup> June 2023.  Visit required to check compliance. Fence reduced to 1.3 metres in height. <b>CASE CLOSED</b>
Land adjacent to Riverswood, Strines Road, Disley	<b>DISLEY</b>	Unauthorised use of land as a Residential Caravan site	Enforcement Notice	Enforcement Notice issued 11 <sup>th</sup> June 2015. Appeal dismissed Compliance due September 2016. Site visit undertaken, the Notice has been partly complied with. Pursuing compliance with the Notice.
Woodend Cottage Disley	<b>DISLEY</b>	Unauthorised operational development - Detached Garage	Enforcement Notice	(Retrospective planning application currently under appeal, PINS may use their powers under s79(6) to dismiss the appeal if they consider the appellant is causing undue delay in the process (letter dated 2 <sup>nd</sup> November 2021). Appeal was dismissed.  Notice issued 30 <sup>th</sup> May 2022 – Compliance due October 2022 Site Visit required to check compliance.
Field Adjacent Entrance to Rocks Barn, Rocks Farm, Mudhurst Lane, Disley	<b>DISLEY</b>	Unauthorised engineering operation.	Temporary Stop Notice. Enforcement Notice	TSN issued 16 <sup>th</sup> August 2023 Enforcement Notice issued 9 <sup>th</sup> February 2024. Compliance due September 2024.



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Ladera, Back Lane, Eaton	<b>GAWSWORTH</b>	Unauthorised change of use from a recreational caravan site to a residential and recreational caravan site.	Enforcement Notice	Enforcement Notice issued on 28 <sup>th</sup> May 2019. Appeal lodged 17 <sup>th</sup> July 2019. Appeal hearing took place in February 2020. Appeal withdrawn on 17 <sup>th</sup> March 2020 by the appellant. Partial award of costs awarded to the Council. Compliance with the Notice due 17 <sup>th</sup> September 2021.  Site visit required, officers trying to arrange this with owner.
Forest Yard, Salters Lane, Siddington	<b>GAWSWORTH</b>	Unauthorised material change of use to a timber yard.	Enforcement Notice	Planning permission refused, appeal dismissed. Enforcement Notice issued 5 <sup>th</sup> February 2024 Compliance due July 2024. <u>Appeal lodged with the planning inspectorate</u>
Five Oaks, Clay Lane, Haslington	<b>HASLINGTON</b>	Unauthorised material change of use	Enforcement Notice	Notice served, compliance due. Case officer liaising with owner  Prosecution authorised. Trial listed for 05/03/2024
Oakhanger Euestrian Centre, Holmshaw Lane, Haslington	<b>HASLINGTON</b>	Unauthorised operational development	Enforcement Notice	Enforcement Notice issued 8 <sup>th</sup> August 2023 Awaiting appeal decision. PINS issued holding letter no Inspector available
143 Wilmslow Road, Handforth	<b>HANDFORTH</b>	Unauthorised Fencing	Enforcement Notice	Enforcement Notice issued 12 <sup>th</sup> March 2023 Notice partially complied with, further works planned.
Mere End Cottage, Mereside Road, Mere, Knutsford	<b>HIGH LEGH</b>	Unauthorised erection of dwelling house and detached garage	Enforcement Notice	Enforcement Notice served. Appeal lodged. Appeal allowed for garage but dismissed for dwelling. Dwelling remains incomplete and unoccupied. Pursuing compliance with Notice.

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Land at Spinks Lane, Pickmere	<b>HIGH LEGH</b>	Unauthorised Change of use of land from agricultural use to the siting of residential and touring caravans	Enforcement Notice	Subject of an Enforcement Notice and an appeal, two planning applications and two appeals, two injunctions and one prosecution. Consent Order agreed 21 July 2014. Notice not complied with. Further Court Hearing in September 2015 at which time it was agreed that the caravans could remain for a period of two years subject to the conditions set out in the Court Order.
Aston Park House, Budworth Road, Aston By Budworth	<b>HIGH LEGH</b>	Unlawful works to a Grade II* listed building	Listed Building Enforcement Notice	Listed Building Enforcement Notice Issued 18 <sup>th</sup> May 2017 requiring restoration works to be carried out to the dwelling. Appeal lodged 20 <sup>th</sup> June 2017. Appeal withdrawn 9 <sup>th</sup> January 2018. Partial award of costs awarded to the Council. Enforcement Notice to be complied with by August 2018. Pursuing compliance with the Notice. Successful prosecution 2018, 250 hours community service £65k costs. Full payment of costs remain outstanding. Property has now been sold, appears new owner unaware of extent of outstanding works – Outstanding application for discharge for conditions, awaiting decision before progressing case.
Meadow Lodge, Clamhungar Lane, Mere	<b>HIGH LEGH</b>	Unauthorised operational development, erection of a garage	Enforcement Notice	Enforcement Notice served 11 <sup>th</sup> August 2021, notice due to come into effect 13 <sup>th</sup> September 2021. Appeal decision awaited Appeal dismissed compliance due December 2022 Further visit required.
Holly Farm, Withers Lane, High Legh	<b>HIGH LEGH</b>	Unauthorised operational development	Enforcement Notice	Enforcement Notice issued 24 <sup>th</sup> May 2023 Appeal lodged Sept 2023 Letter from PINS no Inspector to carry out site visit delay in decision
Sudlow Barns, Sudlow Lane	<b>HIGH LEGH</b>	Breach of Condition	Breach of Condition Notice	Notice issued 14 <sup>th</sup> February 2024 Compliance due 14 <sup>th</sup> May 2024.

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Land at Beggarman's Lane Knutsford	<b>KNUTSFORD</b>	Unauthorised use of land for dog exercise area	Enforcement Notice	Notice issued 20 <sup>th</sup> September 2022 Appeal dismissed. Partial compliance – use ceased fencing still to be removed.
Pinewood, 1 Legh Road, Knutsford	<b>KNUTSFORD</b>	Unauthorised extension to garage	Enforcement Notice	Notice served 16 <sup>th</sup> August 2023 Appeal Lodged February 2024 Letter from PINS no Inspector to carry out site visit delay in decision
Land opposite 162 Moss Lane Macclesfield	<b>MACCLESFIELD SOUTH</b>	Unauthorised change of use of land for parking/storage of vehicles and domestic paraphernalia, siting of a storage container and hardstanding	Enforcement Notice	Enforcement Notice issued 2 <sup>nd</sup> August 2019. Compliance due 4 <sup>th</sup> January 2020. No appeal lodged. Notice not complied with. Pursuing compliance with Notice.  REVIEW further site visit required
Land Opposite Five Acre Farm, Cledford Lane, Middlewich	<b>MIDDLEWICH</b>	Unauthorised operation development, erection of a building and boundary walls	Enforcement Notice	Enforcement Notice issued 5 <sup>th</sup> August 2015. Appeal dismissed. Prosecution for non-compliance February 2019. Found guilty, fined £200 with £30 VSC. Notice still not complied with further proceedings required. Registered owner now deceased, case to be reviewed. Original landowner now deceased.
Land at Moss Lane Mobberley	<b>MOBBERLEY</b>	Unauthorised hardstanding and earth bund	Enforcement Notice	Notice issued 25 <sup>th</sup> October 2019. Compliance due 29 <sup>th</sup> May 2020. No appeal lodged. Notice not complied with. Pursuing compliance with the Notice. Case to be reviewed, possible new owner of the land. A planning application has been submitted reference 21/2963M, awaiting decision. Application was withdrawn. There is a new owner of the land, discussions required to take place regarding compliance with the Notice. Last visit Nov. 2022 Review

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Castle Hill Farm, Castle Mill Lane, Ashley	<b>MOBBERLEY</b>	Unauthorised material change of use to a mixed use for agriculture and storage of caravans, boats, trailers and motor vehicles	Enforcement Notice	Notice issued 11 <sup>th</sup> August 2017. Appeal dismissed. Compliance due January 2020. Compliance visit due – Under review.
Land at Broadoak Lane, Mobberley	<b>MOBBERLEY</b>	Unauthorised hardstanding and use of the land for the siting of residential caravans	Injunctions	<p>An injunction was granted on 13<sup>th</sup> August 2020 to prevent further operational development taking place and anymore caravans being brought on the land, a further injunction was granted on 1<sup>st</sup> September 2020. Injunctions not complied with. Committal proceedings instigated for breaches of the court order. Trial date 14<sup>th</sup> and 15<sup>th</sup> October 2020 to consider committal proceedings and a final injunction on the land. Trial adjourned. Awaiting new trial date.</p> <p>Injunction obtained – compliance required Committal proceedings verdict sentencing 4<sup>th</sup> May 2021 – found guilty and ordered to pay costs of at least £25k. Further proceedings instigated regarding cost recovery,</p>
Land at Broadoak Lane, Mobberley	<b>MOBBERLEY</b>	Unauthorised material change of use to a residential caravan site	Enforcement Notice	<p>Notice issued 03/02/21 appeal lodged Public Inquiry due to start 14<sup>th</sup> December 2021 however PINS sent further letter on 15<sup>th</sup> November stating would commence 22 February 2022.</p> <p>Appeal dismissed compliance due June 2023. Residential use of the site has ceased – partial compliance with notice. Under review. Land has now changed hands</p>

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Land at Davenport Lane, Mobberley	<b>MOBBERLEY</b>	Unauthorised operational development	Enforcement Notice	Notice issued 23 <sup>rd</sup> June 2021 – no appeal lodged. Compliance due October 2021. Site visit required to check compliance. Not complied with under review
Land at Pedley House Lane, Great Warford	<b>MOBBERLEY</b>	Unauthorised material change of use	Enforcement Notice	Notice issued 6 <sup>th</sup> October 2023 Appeal lodged
106-108 Station Road, Scholar Green	<b>ODD RODE</b>	Unauthorised extensions and alterations	Enforcement Notice	Enforcement Notice issued 6 <sup>th</sup> March 2020. Appeal lodged. Further significant works undertaken to the property meaning notice no longer capable of compliance Notice withdrawn. Retrospective application refused. Notice issued 29 <sup>th</sup> October 2021 – advised appeal to be lodged. Notice currently under appeal Appeal dismissed except for front extension compliance due April 2023 Under review
106-108 Station Road, Scholar Green	<b>ODD RODE</b>	Unauthorised boundary walls	Enforcement Notice	Enforcement Notice issued 6 <sup>th</sup> March 2020. Appeal lodged. Walls subject to the notice removed, Amended walls erected, Notice withdrawn as no longer relevant. Retrospective application refused. Notice issued 29 <sup>th</sup> October 2021 – advised appeal to be lodged. Notice currently under appeal Appeal dismissed Compliance due October 2022 – under review Walls reduced in height
Land at Liverpool Road, West	<b>ODD RODE</b>	Unauthorised material change of use – deposit of waste	Temporary Stop Notice	TSN issued 10 <sup>th</sup> July 2023. Some material removed. Owner agreed to remove additional material in Spring 2024.

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Canalside Farm, Adlington	<b>POYNTON AND WEST ADLINGTON</b>	Unauthorised material change of use – petting farm	Enforcement Notice	Notice Served 16 <sup>th</sup> March 2022, effective date 18 <sup>th</sup> April 2022, compliance date due 18 <sup>th</sup> October 2022. Appeal lodged notice in abeyance. Appeal dismissed – Use to cease by 21 <sup>st</sup> January 2023 other requirements to be complied with August 2023
Canalside Farm, Adlington	<b>POYNTON AND WEST ADLINGTON</b>	Unauthorised buildings	Enforcement Notice	Enforcement Notice issued 12 <sup>th</sup> May 2023. Compliance due 27 <sup>th</sup> December 2023. Appeals lodged then withdrawn. Under review
Elm Beds Caravan Park, Poynton	<b>POYNTON EAST AND POTT SHRIGLEY</b>	Unauthorised residential caravan	Enforcement Notice	Enforcement Notice issued. Appeal Lodged. Appeal Dismissed. Resolution from SPB in October 2012 to apply to Court for Injunction. Following legal advice, the injunction is not being pursued at the present time. Case remains open. Legal advice currently being sought. Legal advice received. Site meeting arranged with the operator. Site meeting held. Operator advised they must comply with the notice.
Panache, 1 London Road, Poynton	<b>POYNTON EAST AND POTT SHRIGLEY</b>	Unauthorised flue	Enforcement Notice	Enforcement Notice issued 25 <sup>th</sup> November 2019. Compliance due 6 <sup>th</sup> May 2020. No appeal lodged. Site visit undertaken to check compliance with the Notice. Notice not complied with. Pursuing compliance with the Notice.  Under review
1 Waterloo Road Poynton	<b>POYNTON EAST AND POTT SHRIGLEY</b>	Unauthorised fence	Enforcement Notice	Enforcement Notice issued 1 <sup>st</sup> March 2021. Notice came into effect 31 <sup>st</sup> March 2021. No appeal lodged. Compliance due 31 <sup>st</sup> May 2021. Site visit required to check compliance. Possible prosecution Fence reduced in height but trellis placed on top of part of it – remains in breach – Under review

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Land adjacent to 5 Rushmere Close, Adlington	<b>POYNTON WEST AND ADLINGTON</b>	Unauthorised change of use of land to garden	Enforcement Notice	Enforcement Notice issued 16 <sup>th</sup> February 2015. Appeal lodged. Appeal decided 29 <sup>th</sup> September 2015. Appeal dismissed. Compliance due 29 <sup>th</sup> June 2016. Notice partly complied with. Pursuing compliance with the Notice.
Mottram Wood Farm Smithy Lane Mottram St Andrew	<b>PRESTBURY</b>	Unauthorised Dwelling	Enforcement Notice	Enforcement Notice issued 10 <sup>th</sup> June 2015. Notice due to be complied with by 10 <sup>th</sup> May 2018 (special circumstances for lengthy compliance date). Notice not complied with. A planning application, reference 20/1452M for the retention of the cabin for the processing of alpaca wool in association with the alpaca breeding enterprise submitted. Application refused 1 <sup>st</sup> Feb. Decision appealed; appeal allowed. Review case to close.
Land at Willot Nurseries, Wilmslow Road, Prestbury	<b>PRESTBURY</b>	Unauthorised material change of use to residential and residential garden, with areas of hardstanding, pond, building and walls.	Enforcement Notice	<p>Enforcement Notice issued 28<sup>th</sup> September 2020. Notice comes into effect on 2<sup>nd</sup> November 2020.</p> <p>Appeal pending site visit due 21<sup>st</sup> September 2021, decision still awaited.</p> <p>Appeal dismissed December 2021 compliance due June 2022</p> <p>Application 22/1829Mm for a reduced garden area approved. Check implemented/notice complied with in respect of remaining area.</p> <p>Awaiting application for DISON (No. 4) Newt mitigation and fish removal from pond.</p>
Ash Cottage, London Road, Prestbury	<b>PRESTBURY</b>	Unauthorised operational development	Breach of Condition Notice	BCN served requiring demolition of original dwelling and removal of all resultant materials from the land. Compliance due February 2022. Under review.

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Land lying to the South of Dunge Farm, Over Alderley	<b>PRESTBURY</b>	Unauthorised operational development	Enforcement Notice	Enforcement Notice issued 15 <sup>th</sup> July 2021. Notice comes into effect 15 <sup>th</sup> August 2021. Compliance due by 15 <sup>th</sup> February 2023. Works have commenced in association with the Notice. Visit required to check compliance
Tree Tops Greendale Lane Mottram St Andrew	<b>PRESTBURY</b>	Unauthorised operational development – Boundary wall	Enforcement Notice	Enforcement Notice issued 26 <sup>th</sup> January 2022 Effective 1 <sup>st</sup> March 2022 compliance due 01 <sup>st</sup> July 2022. Application for a Certificate of Proposed Use or Development submitted reference 22/0911M proposing to amend the wall. Negative certificate issued Further application submitted July 2022 22/2675M – awaiting decision Pursue highways for compliance
9 Lees Lane, Newton	<b>PRESTBURY</b>	Unauthorised operational development	Enforcement Notice	Notice issued 29 <sup>th</sup> September 2023 Appeal lodged
30 Lime Close, Sandbach	<b>SANDBACH TOWN</b>	Unauthorised erection of a front dormer window	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Notice not complied with. Owners had children with special needs and so legal action held in abeyance. Property has been repossessed. Prospective owners being advised of requirement to remove front dormers. Notice not complied with as of 12 March 2015. Contact to be made with new owners. Requires review.
13 Lime Close, Sandbach	<b>SANDBACH TOWN</b>	Unauthorised operational development	Enforcement Notice	Notice issued 18 <sup>th</sup> May 2023. Effective 30 <sup>th</sup> June 2023. Compliance due 30 <sup>th</sup> August 2023
4 Brickhouse Barns, Congleton	<b>SANDBACH TOWN</b>	Unauthorised works to a listed building	Listed Building Enforcement Notice	Notice issue 18 <sup>th</sup> October 2023 Compliance due October 2024



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Road, Sandabch				
Land at Gaw End Lane Lyme Green	<b>SUTTON</b>	Unauthorised change of use of land to agricultural and parking of vehicles, skips, formation of earth bunds, hardstanding, fencing and gate	Enforcement Notice	Enforcement Notice issued 12 <sup>th</sup> December 2018. Compliance due 10 <sup>th</sup> May 2019. Appeal lodged 27 <sup>th</sup> March 2019. Appeal dismissed. Compliance due by 10 <sup>th</sup> January 2020. Notice not complied with. Pursuing compliance with the Notice.  Land now being developed for housing. Need to check compliance with Notice.  Notice complied with. <b>CASE CLOSED</b>
The Wharf, Bullocks Lane, Sutton	<b>SUTTON</b>	Unauthorised material change of use from storage of roofing materials to residential	Enforcement Notice	Enforcement Notice issued 26 <sup>th</sup> October 2016. Appeal dismissed. Compliance due by March 2018. Notice partially complied with. Unauthorised building used for residential purposes demolished.  Existing buildings probably still being used for domestic storage
Land at 45 Robin Lane Lyme Green	<b>SUTTON</b>	Unauthorised fencing	Enforcement Notice	Application for boundary fence refused 22/1271N Enforcement notice issued 18 <sup>th</sup> October 2023 Appeal lodged out of time Compliance due 1 <sup>st</sup> June 2024.
Land North of Moorfields, Willaston, Nantwich	<b>WILLASTON AND ROPE</b>	Non-compliance with condition	Breach of Condition Notice	BCN issued 01/03/2023 – Developers in administration
Rush Cottage, Gore Lane, Chorley,	<b>WILMSLOW WEST AND CHORLEY</b>	Unauthorised extensions to residential property	Enforcement Notice	Enforcement Notice issued 29 <sup>th</sup> November 2016 in relation to unauthorised extensions to the property. Appeal dismissed. Compliance due 13 <sup>th</sup> January 2018. Notice not complied with. Pursuing compliance with Notice.

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Alderley Edge				Under Review
Foden House, Foden Lane, Alderley Edge	<b>WILMSLOW EST AND CHORLEY</b>	Unauthorised operational development	Enforcement Notice	Notice issued 6 <sup>th</sup> October 2023 Compliance due 01/02/2024 visit required
Lode Hill, Altrincham Road, Styal, Wilmslow	<b>WILMSLOW LACEY GREEN</b>	Unauthorised use of land for commercial parking (airport parking)	Enforcement Notice	Enforcement Notice issued. Appeal lodged. Appeal part allowed and part dismissed (use allowed to continue, but hard standing to be removed). Planning Inspectorate made typing error in their formal Decision Letter which cannot be corrected and may result in the Council not being able to pursue the removal of the hard standing. Legal advice being sought.  Police closed down airport parking operation
Lode Hill, Altrincham Road, Styal, Wilmslow	<b>WILMSLOW LACEY GREEN</b>	Unauthorised material change of use of land for deposit of waste	TSN Enforcement Notice Stop Notice	TSN served 8 <sup>th</sup> February 2023, ceases to have effect on 6 <sup>th</sup> March 2023. Enforcement Notice and Stop Notice served 16.02.23. Stop Notice comes into effect 1 <sup>st</sup> March 2023. Enforcement Notice comes into effect 22 <sup>nd</sup> March 2023. Works to comply with enforcement notice undertaken. Under to review to confirm full compliance.
Fairview Stanneylands Road Styal	<b>WILMSLOW LACEY GREEN</b>	Unauthorised material change of use of land from agriculture to the importation of material, storage of non agricultural items, storage container and hardstanding.	Temporary Stop Notice (TSN) and Enforcement Notice	TSN issued on 18 <sup>th</sup> July 2018 to stop further material being imported and deposited on the land. The TSN was complied with. Enforcement Notice issued. Appeal dismissed. Compliance due 28 <sup>th</sup> July 2019. Notice partly complied with, hard standing remains. Pursuing compliance with the Notice.  Notice now complied with. <b>CASE CLOSED</b>

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17 Fletsand Road Wilmslow	<b>WILMSLOW EAST</b>	Without planning permission, the importation and deposit of material in order to the raise the levels of the land within the rear garden	Enforcement Notice	Enforcement notice issued on 1 <sup>st</sup> March 2021. Appeal lodged. Appeal decided. Notice upheld. Compliance due 11 <sup>th</sup> December 2021. LPA allowed a further period of time for compliance in order to complete the works.  Under review
9a Daveylands, Wilmslow	<b>WILMSLOW EAST</b>	Material change of use from agriculture to a mixed use of agriculture and the parking of non-incidental vehicles, equipment, materials, children's play equipment and domestic chattels	Enforcement Notice	Application for planning permission 20/2271M refused dismissed at appeal Dec 2022  Notice issued 13 <sup>th</sup> April 2023 – appeal lodged
Six Acres, Wirswall Road, Wirswall	<b>WRENBURY</b>	Material change of use from agriculture to a mixed use of agriculture and the parking of non-incidental vehicles, equipment, materials, children's play equipment and domestic chattels.	Enforcement Notice	Enforcement Notice issued. Compliance due 8 <sup>th</sup> December 2014. Notice had been complied with but now possible further offence. Case to be reviewed.  Warrant required for further visit, due to apply after lockdown. Witness statements prepared for injunction application – court papers being drafted.  Further operational development taken place on the land to be included in proceedings.  Injunction awarded by High Court 3 <sup>rd</sup> October 2022. All unauthorised development to be removed from the land by April 2023 land to be returned to condition prior to unauthorised development by August 2023.  Injunction not complied with, committal proceedings successful 12 month suspended sentence imposed. Residential use must cease by 15 <sup>th</sup> July 2025. All

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				unauthorised development to be removed by January 2025. Appeal against court order dismissed 12 <sup>th</sup> March 2024.
Six Acres, Wirswall Road, Wirswall	<b>WRENBURY</b>	Construction of a building and creation of a hard standing	Enforcement Notice  Injunction	<p>Enforcement Notice issued. Appeal dismissed. Warrant of entry required to carry out a compliance inspection. Notice not complied with. Successful prosecution May 2017 fined £500 and ordered to pay all of prosecution costs within 12 months - £7k. Further warrant required for additional compliance visit. Additional operational development taken place. Compliance remains outstanding case under review pending further action.</p> <p>Warrant required for further visit, due to apply after lockdown. Witness statements prepared for injunction application – court papers being drafted</p> <p>Injunction awarded by High Court 3<sup>rd</sup> October 2022. All unauthorised development to be removed from the land by April 2023 land to be returned to condition prior to unauthorised development by August 2023. Injunction not complied with, committal proceedings successful 12 month suspended sentence imposed. Residential use must cease by 15<sup>th</sup> July 2025. All unauthorised development to be removed by January 2025. Appeal against court order dismissed 12<sup>th</sup> March 2024. Under review</p>
Bank House Farm, Audlem Road, Hatherton	<b>WYBUNBURY</b>	Unauthorised installation of plastic windows in a listed building.	Listed Building Enforcement Notice	<p>Enforcement Notice issued 27<sup>th</sup> September 2018. Notice not complied with.</p> <p>Conviction secured. Letter sent to Mr Harvery advising must comply review is no movement take back to court</p>

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				Compliance remains outstanding – under review. Appears property has been sold. Contact to be made with new owner.
Avenue Lodge, London Road Doddington	<b>WYBUNBURY</b>	Unauthorised installation of plastic windows in a listed building.	Listed Building Enforcement Notice	<p>Enforcement Notice issued 25<sup>th</sup> February 2019.</p> <p>Notice quashed in a ridiculous appeal decision further notice issued 17<sup>th</sup> December 2020 subject to further appeal. Appeal dismissed compliance due January 2022.</p> <p>Prosecution case adjourned twice now listed for 16<sup>th</sup> April 2024</p>
Lake Lodge, London Road, Doddington	<b>WYBUNBURY</b>	Unauthorised installation of plastic windows in a listed building	Listed Building Enforcement Notice	<p>Enforcement Notice issued 17<sup>th</sup> December 2020 – subject of an appeal. Appeal dismissed compliance due January 2022</p> <p>Prosecution case adjourned twice now listed for 16<sup>th</sup> April 2024.</p>

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