

Table 1: Planning Enforcement Notices - Cheshire East Borough Council

Site Address	Breach	Type of Notice	Current Status
Land at Carr Lane, Chorley	Steel structure clad in blue corrugated sheeting	Enforcement Notice	Enforcement Notice served. Appeal dismissed. High Court challenge to appeal decision dismissed. Planning Permission 02/2280P granted subject to conditions for retention of building with new facing and roofing materials. Appeal against imposition of conditions in relation to the timing of implementation allowed. Legal proceedings against non compliance with Enforcement Notice deferred to allow for implementation of planning permission 02/2280P. Planning permission expired on 08/01/2008. Direct Action to demolish the building now being considered.
Land at Carr Lane, Chorley	(1) Hardstanding (2) Use of land for stationing of caravan and Portacabins for residential and non agricultural storage	Enforcement Notice	Enforcement Notice served. Appeal dismissed. No compliance. Prosecution commenced but withdrawn due to legal advice regarding nature of respondents defence. Opportunity for any successful legal action is dependant on change in owner's financial circumstances.
Lindow End Smithy, Edge View Lane, Chorley	Erection of building	Enforcement Notice	Enforcement Notice served. Appeal dismissed. Building demolished and concrete slab removed. CASE CLOSED.
Styal Moss Nursery, Moss Lane, Styal	Unauthorised use of land for airport parking	Enforcement Notice	Enforcement Notice served. Appeal lodged 12/10/06. Public Local Inquiry held 12 and 13 February 2008. Appeal dismissed 10/03/08. Successful High Court challenge 2009. Awaiting date for appeal to be re-heard.
Lode Hill, Altrincham Road, Styal, Wilmslow	Unauthorised use of land for commercial parking (airport parking)	Enforcement Notice	Enforcement Notice served. Appeal lodged 12/02/08. Appeal part allowed and part dismissed (use allowed to continue, but hardstanding to be removed). Planning Inspectorate made typing error in their formal Decision Letter which may result in the Council being unable to pursue compliance. Legal advice being sought.
Lindow End Smithy, Edge View Lane, Chorley	Change of use of land from industrial to residential including the siting of residential caravans, greenhouses, shed, meter housing and other domestic paraphernalia	Enforcement Notice	Enforcement Notice served. Appeal lodged 08/04/08. Appeal Dismissed 07/01/09, Notice upheld. Notice complied with. CASE CLOSED.
Croker Farm, Sutton	Unauthorised building	Enforcement Notice	Continued non-compliance with Enforcement Notice. Two prosecutions for non-compliance. On each occasion owner fined £250 and ordered to pay £250 costs. Planning application to retain as replacement dwelling refused. Appeal lodged and dismissed. Considering further prosecution but this will not secure removal of the building.
Deans Farm, Congleton Road, Gawsworth	Formation of hardstanding and storage of caravans	Enforcement Notice	Caravans removed several years ago but a small area of hardstanding remained. Enforcement Notice was aimed at caravan storage use, with hardstanding being a secondary issue. It is no longer expedient to pursue the removal of the hardstanding. CASE CLOSED.

1 Putty Row, Macclesfield Road, Eaton	Erection of front porch, boundary wall, railings and gates	Enforcement Notice	Enforcement Notice served. No appeal. Partial compliance with Notice. Porch not removed. Decision required as to whether to pursue removal of porch through legal proceedings.
Hollands Nursery, Maley Pole Farm, Congleton Road, Gawsorth	Breach of planning condition that required removal of building	Breach of Condition Notice	Breach of Condition Notice served (no right of appeal). Not complied with. Legal Department instructed to commence prosecution, but property was about to change hands which would have made prosecution no longer possible. Sale was never completed. Planning application 10/1711M approve July 2010 for redevelopment of the site for Lodge Park which will regularise the breach. Site unoccupied as Nursery has closed down.
Robins Cob, Fanshawe Lane, Henbury	Unauthorised detached garage and extension to dwelling	2 x Enforcement Notices	Two Enforcement Notices Served (Notice A - Garage and Notice B - Extensions). Appeals Lodged against both Notices. Inspector upheld Notice A and quashed Notice B. Time for compliance with Notice A extended to 12 months. Notice A complied with. CASE CLOSED.
Jarmans Farm, Over Alderley	Unauthorised boundary wall	Enforcement Notice	Enforcement Notice served. Appeal lodged. Appeal dismissed. No compliance. Negotiations ongoing in relation to acceptable modifications before further planning application submitted.
3 Georges Road West, Poynton	Unauthorised erection of two storey side extension	Enforcement Notice	Enforcement Notice served. Appeal lodged 3/12/2007. Appeal dismissed 31/03/08. Notice not complied with. Owners successfully prosecuted 26/08/09. Enforcement Notice substantially complied with. CASE CLOSED.
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	Unauthorised erection of two buildings and an area of hardstanding	Enforcement Notice	Enforcement Notice served. Appeal lodged 27/05/08. Appeal dismissed 13/05/09. No ground a) appeal lodged and so planning merits not dealt with. Subsequently submitted planning application to retain development but was refused on 07/05/10. Owner has stated his intention to appeal. Appeal deadline in 07/11/10. Legal advice being sought regarding legal action for non compliance with Enforcement Notice.
Stable Cottage, Mereside Road, Mere	Unauthorised single storey link extension	Enforcement Notice	Enforcement Notice has been complied with. CASE CLOSED
Crabtree Farm, Crabtree Lane, High Legh	Unauthorised change of use of land, formation of ménage and erection of buildings	Enforcement Notice	Enforcement Notice served. Appeal part dismissed and part allowed. Planning permission 08/1575P granted in 2008 for a modified version of one of the buildings and part of hardstanding. Enforcement Notice has been complied with. CASE CLOSED
Breach Cottage, Breach House Lane, Mobberley	Construction of an unauthorised building	Enforcement Notice	Enforcement Notice served. Appeal lodged 05/12/07. Appeal dismissed and Notice upheld in relation to the building that was the subject of the Enforcement Notice, however planning permission granted for the building as it existed as the time of the Public Inquiry (the building was reduced in size shortly before Public Inquiry). The Council was challenging the appeal decision in the High Court, but later withdrew proceedings. CASE CLOSED.
Maple Farm, Paddock Hill, Mobberley	Construction of an unauthorised building	Enforcement Notice	Enforcement Notice served. Appeal lodged 21/12/07. Appeal dismissed 08/01/09. Compliance due 08/04/09. Modified building granted planning permission on 23/12/09. CASE CLOSED.
1 Pear tree Cottage, Paddock Hill, Mobberley	Construction of unauthorised building	Enforcement Notice	Enforcement Notice served. Appeal lodged 28/12/2007. Appeal allowed 05/01/2009. Notice quashed. CASE CLOSED
Mere End Cottage, Mereside Road,	Unauthorised erection of	Enforcement Notice	Enforcement Notice served. Appeal lodged 29/04/08. Appeal part allowed

Mere, Knutsford	dwellinghouse and detached garage		part dismissed February 2009 – Garage allowed to remain but dwelling to be demolished. Planning permission granted in March 2009 for modified dwelling. Planning permission 09/2837M requesting amendments to previously approved scheme submitted September 2009 but still awaiting determination. Dwelling remains unoccupied.
Land at Spinks Lane, Pickmere	Unauthorised MCU of land for agricultural use to the siting of residential and touring caravans etc	Enforcement Notice	Notice served 31/03/0. Appeal Lodged 29/04/09. Appeal dismissed 16/11/09. Compliance due 11/03/11.
Land of Prestbury Road, Macclesfield	Unauthorised shipping container, hardstanding and fencing	Enforcement Notice	Notice served 07/07/09, Appeal Lodged 28/07/09. Appeal dismissed 16/11/09. Compliance Due Date 16/05/2010. Enforcement Notice mostly complied with, full compliance expected shortly.
White Peak Alpaca Farm, Paddock Hill, Mobberley	Unauthorised erection of a dwelling and laying of hardstanding	Enforcement Notice	Notice served 10/12/09. Appeal lodged 04/01/10. Appeal dismissed 16/07/10. Compliance due 16/07/11.
Fairview, Stannylands Road, Wilmslow	Unauthorised airport parking	Enforcement Notice	Notice being drafted
Rose Cottages, 51 Moss Lane, Styal	Unauthorised airport parking	Enforcement Notice	Notice being drafted
Newhall Farm, Stocks Lane, Over Peover	Unauthorised use of land for helicopter and erection of hanger with landing pad	Enforcement Notice	Notice being drafted
PSS Nursery, 9 Lees Lane, Newton, Macclesfield	Unauthorised change of use of land from nursery to garden centre with café and erection of associated buildings	Enforcement Notice	Notice being drafted
Land off Groby Road, Crewe	Unauthorised skip hire	Enforcement Notice	Lawful Use application for use of site for operation of skip hire (Ref P04/1614) was refused 31/03/05. Correspondence from owner regarding the submission of a further Lawful Use application. In December 07 an appeal against the refusal of the lawful use application was received. Appeal Inquiry was scheduled for 23/09/08 but the appeal was withdrawn. An application for lawful use in respect of a smaller area of land has been received and is under consideration.
Plum Tree Moorings, Nantwich Road, Wrenbury Heath	Unauthorised change of use to permanent moorings and unauthorised engineering works – construction of retaining wall	Enforcement Notice	Appeal made against Notice. Appeal hearing held 28/06/08. Appeal dismissed and Notice upheld. 12 months given within which to comply with the Notice. Correspondence with the Planning Inspectorate for clarification on decision. Residential use has ceased. Ongoing negotiations with regards to an amended scheme for the retaining wall.
39 Welsh Row, Nantwich	Unauthorised alterations to a listed building	Enforcement Notice	Appeal made against Notice. Inspector dismissed Appeal and upheld Notice. 2 months given within which to comply with the Notice. Site visit on 20/12/07 shows Notice not complied with. Matter passed to Legal Services. Legal In dialogue with the owner. Date for compliance extended to 6 th February 2009. Notice has been complied with. CASE CLOSED

4 Bridge House Farm, Baddington Lane, Nantwich	Unauthorised extension	Enforcement Notice	Appeal lodged. Planning Inspector upheld the notice and extended the date for compliance to 23/02/08. Planning permission granted for a smaller extension to be implemented within 1 year therefore, applicant had until 07/03/09 to implement the permission. Permission now implemented. CASE CLOSED
Land off Waldrons Lane, Coppenhall, Crewe	Unauthorised engineering works – track and parking	Enforcement Notice	Planning application was refused; a 2 nd application was also refused. An appeal against the Enforcement Notice was part allowed (access track Chapel Lane and glass houses) and part dismissed mobile home and access track from Waldron Lane). Further visit required to check compliance.
Haycroft Farm, Peckforton Hall Lane, Spurstow	Unauthorised operational development and engineering works	Enforcement Notice	Appeal dismissed. The Enforcement Notice is not currently being complied with; however there has been a recent, positive, meeting with the owners' representative.
Land at Swallow Farm, Elton Lane, Winterley	Unauthorised siting of mobile home unit and wooden structure	Enforcement Notice	A Planning application has been submitted for residential occupation on site and the application refused in September 2009. Occupier has moved from the site. Notice complied with. CASE CLOSED
Oakhanger Equestrian Centre, Oakhanger	Unauthorised repairs/adaptations to motor vehicles	Enforcement Notice	Appeal lodged to be dealt with by written representation. Appeal dismissed and notice upheld. Further complaints regarding noise disturbance have been received although recent site visits have not revealed any evidence of the notice being breached. This remains under investigation.
Land at Wybunbury Lane, Stapeley	Unauthorised engineering works and siting of 3 caravans	Temporary Stop Notice	Temporary Stop Notice expired
Land at Wybunbury Lane, Stapeley	Unauthorised engineering works, change of use from agricultural to residential and siting of 3 caravans.	Stop Notice	
Land at Wybunbury Lane, Stapeley	Unauthorised engineering works, change of use from agricultural to residential and siting of 3 caravans.	Enforcement Notice	Appeal upheld and planning permission granted subject to conditions. Conditions complied with. CASE CLOSED
153 Wistaston Road, Crewe	Construction of railings on single storey extension	Enforcement Notice	Notice Served 25/06/09. Notice took effect: 29/07/09. Notice partially complied with, subject to receipt of an application for the construction of first floor railings around roof of single storey extension. Site visit/re-assessment to be undertaken.
Land at Sunnyside Farm, Peckforton Hall Lane, Spurstow	Unauthorised formation of concrete base and erection of wooden stable thereon	Enforcement Notice	Notice issued and served 30/11/09. Notice took effect on 28/12/09. Three months given to remove stable and base and leveling and seeding of footprint to match immediately surrounding land. Notice complied with. CASE CLOSED.
New Start Park, Wettenhall Road, Poole	Unauthorised change of use from agricultural to a mixed use for agriculture and a caravan park.	2 x Temporary Stop Notices Enforcement Notice Drafted	Issued December 2009. Injunction issued December 2009 to prevent further caravans being brought onto the site. Planning application refused. Appeal lodged. Further planning application submitted. Enforcement Notice drafted and currently with Legal Services.
Horseshoe Farm, Warmingham Lane, Warmingham	Unauthorised change of use from keeping horses to a mixed	Enforcement Notice	The enforcement appeal was dismissed and planning permission granted with conditions, the conditions have not been complied with therefore the

	use for the keeping of horses/stationing of caravans/mobile homes and associated works and structures		expediency of further enforcement action in relation the breach of conditions is to be considered alongside the failure to meet the requirements of the enforcement notice in relation to land outside the red line of the application. However, a further planning application for an extension to the site previously permitted on appeal was submitted and refused. Negotiations ongoing with regards to submission of a further application for the site.
Oakotis Heath Road, Sandbach	Unauthorised stationing of caravans and unauthorised creation of hard standing.	Enforcement Notice	Enforcement Notices were issued against both breaches of planning control and the period for compliance has now lapsed. Further action is therefore now anticipated, this will take the form of prosecution in the Magistrates Court in the first instance a report has been prepared seeking the relevant authority in February 2009, in September additional information was requested via the Head of Planning and Policy, this was provided at the end of September, that report remains with the Head of Planning and Policy. One caravan, hardstanding and amenity building remain on site, further report produced seeking authority to prosecute along with witness statement, all currently with Legal Services. Summons issued by Court first hearing due in September.
Owls Hoot, Blackden Lane, Goostrey	Unauthorised erection of a dwelling, double garage and boundary wall, gate piers and gates.	Enforcement Notice	Separate Enforcement Notices have been issued in relation to the dwelling, garage and boundary walls each Notice requires demolition of the structure detailed. An appeal was lodged only that Notice which relates to the dwelling, the appeal was dismissed and the notice, which requires demolition of the dwelling, was due to be demolished by 23/11/09 the remaining Notices should also have been complied with. An application for a replacement dwelling approved. Officers in contact with site owners regarding demolition of existing unauthorised dwelling.
Ye Old Kings Arms, Congleton	Unauthorised works to a listed building	N/A	The property is a grade II listed building and the exterior of the premises has been painted without the necessary listed building consent, i.e. the plaster in fill panels and the timber. Criminal investigations were undertaken and three people were interviewed under caution. Appropriate remedial works to the building were explored to ensure the integrity of the building was not further compromised. A Listed Building Enforcement Notice was issued on 11/11/09. Notice has now been complied with. CASE CLOSED.
56 Crewe Road, Alsager	Take-away premises operating outside its permitted hours	Enforcement Notice	Appeal against the Enforcement Notice dismissed on 9 th June 2009. The Notice has not been complied with and a report was sent to the Director of Places on 24 September 2009 seeking authority to prosecute, confirmation of authority is still awaited at the time this report is being prepared. Evidence is now likely to be out of date, further investigation required to ascertain whether Notice is still being breached.
30 Lime Close, Sandbach	Unauthorised erection of a front dormer window	Enforcement Notice	The Notice was appealed and the appeal dismissed. The requirements of the Notice have not been met and a report is to be produced considering appropriate further action.
4 Model Cottages, Cranage	unauthorised change of use of residential premises to a mixed	Enforcement Notice	The Notice was appealed and the appeal was heard at a Public Inquiry in 2008. The appeal was dismissed, however, the appellant applied for judicial

	residential and commercial use		review, the appellant did not attend the hearing and leave to appeal was not granted. Owners and occupier of property successfully prosecuted for failure to comply with Notice. Further ad hoc visits will be carried out to ensure continued compliance with the Notice.
28 Kendal Court, Congleton	property which has been allowed to fall into a state of disrepair so much so that it is considered to have an adverse impact on the visual amenity of the area.	S215 Notice	A S215 (Untidy Site) Notice has been issued and was due for compliance by the end of February 2009. The requirements of the notice have not been met; the owner was convicted of failing to comply with the Notice in Crewe Magistrates Court. A further report is to be prepared considering the expediency of carrying out works in default.
4 Nidderdale Close, Congleton	Unauthorised raised decking	Enforcement Notice	Retrospective planning permission has been refused for raised decking and an enforcement notice has been issued. Appeals against both the refusal of planning permission and the enforcement notice were dismissed. The Notice has not been complied with in full however it is anticipated that a further application for amended scheme approved. CASE CLOSED
Land North of Pedley Lane, Timbersbrook	Unauthorised change of use from and agricultural use to a recreational and education use.	Enforcement Notice	Enforcement Notice issued and appealed. Appeal dismissed 3007/10. Compliance due 30 March 2011.
School Farmhouse, Walnut Tree Lane, Bradwall	Unauthorised outbuilding in cartilage of listed building	Enforcement Notice	Planning permission refused, Notice drafted, amended retrospective application refused. Building allowed on appeal. CASE CLOSED
86 Crewe Road, Alsager	Non-compliance with hours of operation condition	Enforcement Notice	Enforcement Notice due for compliance mid December 09, further monitoring to take place to ascertain compliance.
Betchton Cottage Farm	Unauthorised change of use from agricultural land to use in association with a skip hire business and laying of hardcore	Enforcement Notice	Enforcement Notice drafted, refusal of planning permission appealed, appeal upheld and planning permission granted. CASE CLOSED
Beechcroft, Newcastle Road, Smallwood	Unauthorised change of use for residential property to a mixed residential and commercial use.	Enforcement Notice	Notice issued 05/02/10 and due for compliance 19/09/10.
Land at Corner of Twemlow Lane, Cranage	Unauthorised change of use of land from agricultural use to a mixed agricultural and domestic storage use.	Enforcement Notice	Notice drafted

Thimsworra, Dragons Lane, Moston	Unauthorised change of use of land from agricultural use to a mixed agricultural and residential use	Enforcement Notice	Notice drafted
Boundary Villa Farm, Boundary Lane, Congleton	Unauthorised change of use of use of agricultural land to residential garden	Enforcement Notice	Notice drafted
Oakleigh, Childs Lane, Brownlow	Unauthorised construction of an out building	Enforcement Notice	Notice Drafted
Boars Head Hotel, Middlewich	Unauthorised building	Enforcement Notice	Notice drafted
Silver Birches New Platt Lane, Cranage	Unauthorised felling of protected trees	Prosecution	Summons Issued initial court date 17 September 2010.
Land at Halith Cottage, Higher Poynton	Importation and Deposit of Waste	Enforcement Notice	Notice served. Appeal dismissed. Failure to comply with steps of Notice for removal of waste. Prosecution is being considered.
Whittakers Green Farm Composting Site, Hunsterston	Unauthorised waste transfer station	Enforcement Notice	Notice upheld at appeal. Currently awaiting notification of appeal to the High Court