

**Table 1: Planning Enforcement Notices - Cheshire East Borough Council**

Site Address	Breach	Type of Notice	Current Status
<b>Former Borough of Macclesfield</b>			
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 by NAPC on 8/1/03 for retention of building with new facing and roofing materials. Appeal against imposition of conditions in relation to the timing of implementation upheld 17/10/03. 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. Legal proceedings 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 Prosecution commenced but withdrawn due to legal advice regarding nature of respondents defence. External legal advice received and considered, decision required as to whether commence further legal proceedings
Lindow End Smithy, Edge View Lane, Chorley	Erection of building	Enforcement notice	Enforcement Notice served. Appeal dismissed. Building collapsed and so only slab remains. Full compliance still required, but awaiting compliance with a subsequent Enforcement Notice required beforehand (see 08/00011E)
Styal Moss Nursery, Moss Lane, Styal	Unauthorised use of land for airport parking	Enforcement notice	Enforcement Notice served. Appeal lodged 12/10/2006. Public Local Inquiry commenced 20 November 2007, but adjourned until 12 and 13 February 2008. Appeal dismissed 10/03/08. Awaiting compliance with Enforcement Notice , but High Court Challenge lodged by Appellant. Awaiting outcome of High Court case.
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. Awaiting compliance.
Lindow End Smithy, Edge View Lane, Chorley, Alderley Edge	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. Awaiting compliance.
Croker Farm	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 to MBC. Planning application to retain as replacement dwelling refused 12/12/01. Appeal lodged and dismissed. Considering further prosecution.

Deans Farm, Congleton Road, Gawsworth	Formation of hardstanding and storage of caravans	Enforcement notice	Caravans removed several years ago but hardstanding remained. Planning Application 03/2268P for barn conversion which incorporated hardstanding into garden areas was approved subject to a section 106 agreement. The section 106 agreement was never signed and the application was therefore remitted back to the Planning Sub-Committee on 10 May 2006 which subsequently refused the application. Further planning application submitted January 2007 but withdrawn March 2007 Decision required as to whether to pursue removal of hardstanding through legal proceedings.
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, Gawsworth	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 made prosecution no longer possible. Sale was never completed and therefore decision required as to whether to pursue removal of building through legal proceedings.
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. Awaiting compliance with Notice A, but protected bats found roosting in garage which is causing delay with demolition of the garage
Jarmans Farm	Unauthorised boundary wall	Enforcement notice	Enforcement Notice served. Appeal lodged. Appeal dismissed. No compliance, but liaison with applicant has resulted in planning application for modified version of wall being submitted 20 March 2007. Refused 11 May 2007. Further 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. Legal action being pursued.
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	Unauthorised erection of two buildings and an area of hardstanding	Enforcement notice	Enforcement Notice served. Appeal lodged 27/05/2008. Appeal decision awaited
Stable Cottage, Mereside Road, Mere	Unauthorised single storey link extension	Enforcement notice	Enforcement Notice served. Appeal lodged. Appeal dismissed. No compliance. Prosecution was being considered, but documented medical advice was submitted which rendered legal proceedings inappropriate. Property sold January 2009, so pursuing compliance with new owner.
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 lodged 20/04/2007. Appeal dismissed and Notice upheld 05/03/08 in relation to buildings and hardstanding. Appeal allowed and planning permission granted for change of use of land and ménage. Planning permission 08/1575P granted on 9/10/08 for a modified version of one of the buildings and part of the hardstanding. No compliance with Notice. Liaising with owner regarding compliance.
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 is challenging the appeal decision in the High Court. Awaiting outcome of court proceedings.
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. Awaiting compliance.
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
Stockin Moss Field, Chelford Road, Mathall	Unauthorised erection of building	Enforcement notice	Enforcement Notice served. Appeal lodged 25/05/2007. Appeal dismissed 27/03/08. Notice complied with. Case closed
Mere End Cottage, Mereside Road, Mere, Knutsford	Unauthorised erection of dwellinghouse and detached garage	Enforcement notice	Enforcement Notice served. Appeal lodged 29/04/08. Public Inquiry to be held 10/02/09. Appeal Decision awaited.
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 31/03/09 Appeal Lodged 29/04/09. Appeal Inquiry opened by adjourned until December
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
<b>Former Borough of Crewe and Nantwich</b>			
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 <sup>st</sup> March 05. Correspondence from owner regarding the submission of a further Lawful Use application. Then in December 07 an appeal against the refusal of the lawful use application was received. Appeal Inquiry was scheduled for 23 <sup>rd</sup> September 2008 but the appeal has been withdrawn. An application for lawful use in respect of a smaller area 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 <sup>th</sup> June 2006. Appeal dismissed and Notice upheld. 12 months given within which to comply with the Notice. Correspondence with the Planning Inspectorate for clarification on decision. Meeting held on 6/11/7 with owner and agent but British Waterways did not attend so a letter sent to BW asking for comments. BW replied that they fully supported the requirements of the Enforcement Notice. Legal in communication with owner's solicitor. Recent visit by enforcement officer to investigate whether the notice is being complied with.
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 <sup>th</sup> December 2007 shows notice not complied with. Matter passed to Legal Services. Legal In dialogue with the owner. Date for compliance extended to 6 <sup>th</sup> February 2009. The site was inspected on the 12 <sup>th</sup> March 2009 and the Notice was complied with. Accordingly the Notice has subsequently been withdrawn.
4 Bridge House Farm, Baddington	Unauthorised extension	Enforcement notice	Appeal lodged. Planning Inspector upheld the notice and extended the date

Lane, Nantwich			for compliance to 23 <sup>rd</sup> February 2008. Planning permission granted for a smaller extension to be implemented within 1 year therefore, applicant has until 7 <sup>th</sup> March 2009 to implement the permission. Enforcement notice remains effective should the planning permission not be implemented. Owner has erected scaffolding and informed enforcement team that demolition of the external part of the extension is due to start within a week
Land off Waldrons Lane, Coppenhall, Crewe	Unauthorised engineering works – track and parking	Enforcement notice	Planning application was submitted and refused at October meeting. Planning Compliance Officer has notified Legal that the Notice has not been complied with. A 2 <sup>nd</sup> planning application was submitted and refused at Committee on 2 <sup>nd</sup> April. Notice not complied with. A planning application for access track was submitted May 2008 and approved on 22 <sup>nd</sup> July 2008 to be implemented within 3 years. The permission also deals with ecology. Enforcement notice remains effective should the permission not be implemented.
Haycroft Farm, Peckforton Hall Lane, Spurstow	Unauthorised operational development and engineering works	Enforcement notice	Appeal lodged to be dealt with by written representations. Decision from Inspector received 9 <sup>th</sup> July 2008 and appeal was dismissed and notice upheld. The Enforcement Notice is currently being complied with.
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 at September Committee meeting. Enforcement Officer is in communication with the applicant who confirms that following lengthy negotiations with the Highways Authority the form of a realistic application has been agreed and he will be submitting that further application imminently.
Oakhanger Equestrian Centre	Unauthorised repairs/adaptions 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 lodged and to be conjoined to and heard with the Planning Appeal at a Public Inquiry to be held 28 <sup>th</sup> to 30 <sup>th</sup> April 2009.
54 Barthomley Crescent, Crewe	Untidy land	Section 215 notice	Notice has been complied with
153 Wistaston Road, Crewe	Construction of railings on single storey extension	Enforcement Notice	Notice Served 25 <sup>th</sup> June 2009. Notice takes effect : 29 <sup>th</sup> July 2009. 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 due in the new year.
Land at Sunnyside Farm, Peckforton Hall Lane, Spurstow	Unauthorised formation of concrete base and erection of	Enforcement Notice	Notice issued and served 30 <sup>th</sup> November 2009. Notice takes effect on 28 <sup>th</sup> December 2009. Three months given to remove stable and base and

	wooden stable thereon		leveling and seeding of footprint to match immediately surrounding land. Landowner has given verbal undertaking that work, in compliance with the terms of the Notice will begin on 6 <sup>th</sup> . January 2010.
<b>Former Borough of Congleton</b>			
Horseshoe Farm, Warmingham Lane, Warmingham	Unauthorised change of use from keeping horses to a mixed use for the keeping of horses/stationing of caravans/mobile homes and associated works and structures	Enforcement notice	The enforcement appeal was dismissed and planning permission granted with conditions, the conditions have not been complied with therefore the 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 has been submitted.
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.
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 wall 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 November 2009 the remaining notices should also have been complied with. A report is to be prepared seeking authority from the Director of Places to instigate prosecution proceedings and/or undertake works in default.
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 are currently under way and two people have so far been interviewed under caution with a third likely. Remedial works to the building have been explored to ensure the integrity of the building is not further compromised. A Listed Building Enforcement Notice was issued on 11 November 2009 which requires the paint to be removed from the external timbers and the infill panels to be painted in an agreed colour.
56 Crewe Road, Alsager	Take-away premises operating outside its permitted hours	Enforcement Notice	Appeal against the enforcement notice dismissed on 9 <sup>th</sup> 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..
30 Lime Close, Sandbach	Unauthorised erection of a front dormer window	Enforcement notice	The notice was appealed and the appeal dismissed. Currently awaiting compliance with the Notice. Its requirements 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 residential and commercial use	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 review, the appellant did not attend the hearing and leave to appeal was not granted. A letter under caution has been sent to the occupier of the premises and a response is awaited. It is likely that a report seeking authority to prosecute will be required.
24 Astbury Lane Ends	Unauthorised first floor conservatory	Enforcement notice	Unauthorised first floor conservatory refused planning permission and an enforcement notice was issued, both the refusal of planning permission and the enforcement notice were appealed, both of which were dismissed. The conservatory has been removed and this case has been closed.
The Mere Inn, Crewe Road, Alsager	Unauthorised erection of a building used as a smoking shelter	Enforcement notice	Planning permission was granted for the erection of a structure to be used as a smoking shelter however, a totally different building has been erected. An enforcement notice has been issued requiring its removal, an appeal against the notice was dismissed and the structure has now been removed, the case has been closed.
13 Hazel Grove, Alsager	Unauthorised fence in excess of 1 metre adjacent to highway	Enforcement notice	A retrospective planning application was refused for the retention of a fence is excess of 1 metre high adjacent to a highway. An enforcement notice was been issued and a subsequent appeal dismissed, there requirements of the notice have now been complied with and the a case has been closed.
28 Kendal Court, Congleton Borough Council	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 is due for compliance and a site visit is to be undertaken.
Land North of Pedley Lane, Timbersbrook	Unauthorised change of use from and agricultural use to a recreational and education use.	Enforcement Notice	Awaiting confirmation from the Head of Planning and Policy that enforcement notice drafted in September can now be issued.
School Farmhouse, Walnut Tree Lane, Bradwall	Unauthorised outbuilding in cartilage of listed building	Enforcement Notice	Planning permission refused, notice drafted, amended retrospective application submitted.

86 Crewe Road, Alsager	Non-compliance with hours of operation condition	Enforcement Notice	Enforcement Notice due for compliance mid December, 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 date awaited.
<b>Former Cheshire County Council Waste and Minerals Enforcement</b>			
Land at Halith Cottage, Higher Poynton	Importation and Deposit of Waste	Enforcement notice	EN served and appealed by Ms Preston. Planning Inspectorate upheld Notice, but Ms Preston has failed to comply with steps of EN for removal of waste. Prosecution is next.
Whittakers Green Farm Composting Site	Unauthorised waste transfer station	Enforcement notice	Notice upheld at appeal. Currently awaiting notification of appeal to the High Court