

## APPENDIX 1: Status Report On Cases Where Formal Enforcement Action Has Been Taken – 30th September 2014

Site Address	Ward	Breach	Type of Notice	Current Status
Tollgate Farm, Linley Lane, Alsager	<b>ALSAGER</b>	Unauthorised change of use from agriculture to deposition of waste	Temporary Stop Notice (TSN) and Enforcement Notice	Temporary Stop Notice (TSN) issued to prevent further tipping. TSN not Complied with. Enforcement Notice served. No appeal lodged. Enforcement Notice not complied with. <b>Prosecution for non compliance with TSN to be heard in Court on 15/12/14. Prosecution for non compliance with Enforcement Notice pending.</b>
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	<b>BOLLINGTON</b>	Unauthorised erection of two buildings and an area of hardstanding	Enforcement Notice	Enforcement Notice served. Appeal lodged. Appeal dismissed. Owner refused permission to lodge appeal in High Court. Costs awarded in favour of Council. Two buildings removed and therefore <b>Enforcement Notice substantially complied with, but continuing to pursue removal of an area of hard standing</b>
Land at Swanscoe Lane, Higher Hurdsfield	<b>BOLLINGTON</b>	Unauthorised erection of two timber buildings	Enforcement Notice	Notice served 08/10/13. Appeal Lodged 06/11/13. Appeal dismissed. <b>Compliance due February 2015</b>
Land West of Moss End Farm, Moss Lane, Smallwood	<b>BRERETON RURAL</b>	Unauthorised change of use of land for the stationing of a caravan used for residential purposes.	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Compliance due September 2014. <b>Need to access land to check whether Notice complied with.</b>
The Rumping Donkey, Hassall Green, Sandbach	<b>BRERETON RURAL</b>	Unauthorised works to a listed building	Listed Building Enforcement Notice	Enforcement Notice issued. No appeal. Notice not complied with. <b>Prosecution for non compliance with Notice to be heard in Court on 15/12/14</b>
Thimsworra Farm, Dragons Lane, Moston	<b>BRERETON RURAL</b>	Erection of entrance walls and piers contrary to approved landscaping plan	Breach of Condition Notice	Notice issued. <b>Compliance due December 2014</b>
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	Enforcement Notice issued and appealed. Appeal dismissed 30 July 2010. Compliance due 30 March 2011. Works in default carried out August 2011, 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. <b>Appeal withdrawn November 2014. Conference with Counsel to be heard to establish next course of action.</b>

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28 Kendal Court, Congleton	<b>CONGLETON WEST</b>	Untidy Land	S.215 Notice requiring proper maintenance of land	Untidy Land Notice issued several years ago. Notice not complied with. Owner then prosecuted. Condition of property further deteriorated. Second Untidy Land Notice issued. Notice due to be complied with in October 2014. <b>Notice not complied with. Report to be prepared seeking authority to carry out works in default.</b>
The Steamboat, Mountbatton Way, Congleton	<b>CONGLETON WEST</b>	Untidy Land	S.215 Notice requiring Proper Maintenance of Land	Untidy Land Notice served. <b>Appeal Hearing 21<sup>st</sup> August 2014 in Crewe Magistrates Court. Appellant agreed to slightly amended Notice and to pay the Council's legal costs. Notice believed to have been complied with, but needs final verification visit.</b>
1A Heathfield Avenue, Crewe	<b>CREWE CENTRAL</b>	Untidy Land	S215 Notice	Untidy Land Notice issued requiring land to be cleared of all rubbish by November 2014. Notice not complied with. <b>Pursuing compliance.</b>
Coppenhall House, Groby Road, Crewe	<b>CREWE EAST</b>	Unauthorised extension and alterations to dwelling	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Notice not complied with. Prosecution proceedings instigated. Owner accepted a Simple Caution. Majority of remedial works carried out. <b>Outstanding works to be reviewed.</b>
Rear of 91 Hall O'Shaw Street, Crewe	<b>CREWE EAST</b>	Untidy Land	S215 Notice	Compliance due October 2014.. <b>Decision required with regards to further action which could take the form of a prosecution or direct action.</b>
24 Gresty Road, Crewe	<b>CREWE SOUTH</b>	Untidy Land	S215 Notice	Untidy Land Notice issued. <b>Compliance due January 2015.</b>
20 Gresty Road, Crewe	<b>CREWE SOUTH</b>	Untidy Land	S215 Notice	Untidy Land Notice issued. <b>Compliance due January 2015.</b>
267B Alton Street, Crewe	<b>CREWE WEST</b>	Failure to comply with a condition limiting use of first floor to one flat only	Breach of Condition Enforcement Notice	<b>Enforcement Notice issued. Compliance Due February 2015</b>
4 Model Cottages, Crangan	<b>DANE VALLEY</b>	unauthorised change of use of residential premises to a mixed residential and commercial use	Enforcement Notice	Enforcement Notice served. Appeal dismissed. Notice not complied with. Owners and occupier of property prosecuted. <b>Authority given to apply for an injunction. New evidence needs to be obtained to support application for Injunction.</b>
Silver Birches New Platt Lane, Crangan	<b>DANE VALLEY</b>	Unauthorised felling of protected trees	Prosecution	Prosecution proceedings instigated. Conviction secured, fined. Property changed hands and new owner has replaced the lost trees. <b>CASE CLOSED.</b>

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Oakton Stud Farm, Thisilldous, Macclesfield Road, North Rode	<b>GAWSWORTH</b>	Unauthorised erection of a dwellinghouse	Enforcement Notice	Notice served. <b>Compliance due 30/12/14</b>
Land west of Bramhall Hill North Rode	<b>GAWSWORTH</b>	Unauthorised Stables	Enforcement Notice	Notice served 15/7/14. Appeal Lodged. <b>Appeal to be heard in May 2015</b>
Mere End Cottage, Mereside Road, Mere, Knutsford	<b>HIGH LEGH</b>	Unauthorised erection of dwellinghouse and detached garage	Enforcement Notice	Enforcement Notice served. Appeal lodged.. Appeal part allowed part dismissed. Dwelling incomplete and unoccupied. <b>Pursuing compliance with Notice. Considering direct action.</b>
Land at Spinks Lane, Pickmere	<b>HIGH LEGH</b>	Unauthorised Change of use of land for agricultural use to the siting of residential and touring caravans etc	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. <b>Further court hearing in December 2014</b>
34 Thorn Tree Drive, Crewe	<b>LEIGHTON</b>	Unauthorised erection of wall in excess of one metre in height	Enforcement Notice	Enforcement Notice issued. No Appeal. Notice complied with. <b>CASE CLOSED.</b>
Oakleigh, Childs Lane, Brownlow	<b>ODD RODE</b>	Unauthorised construction of an outbuilding	Enforcement Notice	Notice issued. Appeal lodged. Requirements of Notice amended at appeal. to require the reduction in height of the building. Bat mitigation measures to be implemented before remedial works can be carried out. <b>Mitigation measures to be completed by 9 November 2014 and reduction in height by 9 January 2015. Awaiting site visit to check for compliance with mitigation measures</b>
Land to the Rear of Rose Cottage, Chells Hill, Church Lawton	<b>ODD RODE, BRERETON RURAL</b>	Unauthorised erection of a building	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Building partially demolished. Planning application submitted for smaller building. (retaining approximately one third of original. Planning application refused. Appeal lodged against refusal of planning application. <b>Planning appeal allowed subject to a condition that building must be demolished within 6 months if specific events do not occur before specified dates. Case remaining open to ensure condition is complied with or building demolished</b>
Land at Cresswell Farm, Chells Hill, Church Lawton	<b>ODD RODE, BRERETON RURAL</b>	Unauthorised erection of a dwelling	Enforcement Notice	Enforcement Notice issued. Appeal lodged against refusal of planning permission and enforcement notice. <b>Appeal allowed and Notice quashed. CASE CLOSED</b>

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Elm Beds Caravan Park, Poynton	<b>POYNTON EAST AND POTT SHRIGLEY</b>	Unauthorised residential caravan	Enforcement Notice	Notice served 27/1/11. Appeal Lodged 25/2/11. Appeal Dismissed 13/06/11. Resolution from SPB in October 2012 to apply to Court for Injunction. <b>Following legal advice, the injunction is not being pursued at the present time.</b>
Four Oaks, The Coppice, Poynton	<b>POYNTON EAST AND POTT SHRIGLEY</b>	Unauthorised fence	Enforcement Notice	Notice served 3/2/14. Appeal Lodged 01/04/2014. Appeal dismissed. <b>Notice due to be complied with by 5/2/15</b>
PSS Nurseries, 9 Lees Lane, Newton, MSA	<b>PRESTBURY</b>	Unauthorised erection of timber building, glasshouse and conservatory	Enforcement Notice	Notice served 12/07/12. Appeal Lodged 11/08/12. Appeal Dismissed. Notice partially complied with. Planning permission granted on alternative site and so business relocated and site closed. <b>Pursuing full compliance</b>
PSS Nurseries, 9 Lees Lane, Newton, MSA	<b>PRESTBURY</b>	Unauthorised use for storage and sale of non horticultural items. Formation of hardstanding and erection of walls	Enforcement Notice	Notice Served 12/07/12. Appeal Lodged 11/08/12. Appeal Dismissed. Notice substantially complied with. Planning permission granted on alternative site and so business relocated and site closed. <b>Pursuing full compliance</b>
28 Packsaddle Park, Prestbury	<b>PRESTBURY</b>	Untidy land	S.215 Notice requiring proper maintenance of land	Notice served. Notice complied with. <b>CASE CLOSED.</b>
Budley Barn Mill Lane Prestbury	<b>PRESTBURY</b>	Unauthorised use of Land	Enforcement Notice	Notice served 12/12/14. Appeal lodged. <b>Appeal to be heard at PLI in May 2015</b>
Oakotis Heath Road, Sandbach	<b>SANDBACH HEATH &amp; EAST</b>	Unauthorised stationing of caravans and unauthorised creation of hard standing.	Enforcement Notice	Enforcement Notices issued. Notices not complied with. Owner prosecuted and fined. Site no longer appears to be occupied but hard standing remains. <b>Case being reviewed</b>
Land off Hassall Road, Sandbach	<b>SANDBACH HEATH &amp; EAST</b>	Breach of hours of operation condition	Breach of Condition Notice	Breach of Condition Notice served. Not being complied with. Developer successfully prosecuted and fined. <b>CASE CLOSED</b>
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. <b>Site visit needed to check compliance status</b>

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Styal Moss Nursery, Moss Lane, Styal	<b>WILMSLOW LACEY GREEN</b>	Unauthorised use of land for airport parking	Enforcement Notice	Enforcement Notice served. Appeal lodged. Appeal dismissed. Appellant Successfully challenged appeal decision in High Court. New Appeal held. Appeal Outcome allowed 200 cars to be parked anywhere on the site. New planning application submitted to redevelop the site and allocate a specific area to airport parking (which the Council believes will accommodate far more than 200 cars). Application refused. Appeal lodged. <b>Appeal dismissed. Site needs to be monitored for compliance with Notice i.e. no more than 200 cars</b>
Lode Hill, Altrincham Road, Styal, Wilmslow	<b>WILMSLOW LACEY GREEN</b>	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 able to pursue the removal of the hard standing. <b>Legal advice being sought.</b>
Land North of Moss Lane, Styal	<b>WILMSLOW LACEY GREEN</b>	Unauthorised airport parking	Enforcement Notice	Notice served 30/10/13. Appeal Lodged 22/10/13. <b>Awaiting appeal decision</b>
Haycroft Farm, Peckforton Hall Lane, Spurstow	<b>WRENBURY</b>	Unauthorised operational development and engineering works	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Notice substantially complied with, but awaiting painting of roof. <b>Awaiting full compliance.</b>
Wrenbury Industrial Estate, Wrenbury, Nantwich	<b>WRENBURY</b>	Unauthorised change of use	Enforcement Notice	Enforcement Notice issued. Appeal lodged. <b>Public Inquiry to be held on 16<sup>th</sup> and 17<sup>th</sup> December 2014.</b>
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. Appeal lodged. <b>Appeal decision awaited.</b>
Six Acres, Wirswall Road, Wirswall	<b>WRENBURY</b>	Construction of a building and creation of a hard standing	Enforcement Notice	Enforcement Notice issued. Appeal lodged. <b>Appeal decision awaited.</b>