

APPENDIX 1: Status Report On Cases Where Formal Enforcement Action Has Been Taken - as at 30th September 2015

Site Address	Ward	Breach	Type of Notice	Current Status
Tollgate Farm, Linley Lane, Alsager	ALSAGER	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. Successful prosecution for failure to comply with TSN 15/12/14. Prosecution for non compliance with Enforcement Notice to be considered.
Bar 48, 48 Crewe Road, Alsager	ALSAGER	Change of use from A1 retail to A4 drinking establishment.	Enforcement Notice	Enforcement Notice issued 08/01/15. Compliance due 10 th March 2015. Gathering evidence to ascertain whether notice complied with. Owner currently claims to be using it as a restaurant. Licence review prompted by Police. Licence revoked therefore can no longer trade as licensed premises. Owner now claiming use changed to A3 (permitted change for two years) Further investigation being carried out to ascertain the legitimacy of this claim.
Land at Swanscoe Lane, Higher Hurdsfield, Macclesfield	BOLLINGTON	Unauthorised erection of two buildings and an area of hardstanding	Enforcement Notice	Enforcement Notice issued. Appeal lodged. 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	BOLLINGTON	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. Seeking clarification from legal regarding status of works carried out to reinstate the land
The Romping Donkey, Hassall Green, Sandbach	BRERETON RURAL	Unauthorised works to a listed building	Listed Building Enforcement Notice	Enforcement Notice issued. No appeal. Notice not complied with. Owner pleaded guilty in court on 15 th January 2015 with sentencing suspended for 6 months to allow re-building works to be completed. Defendant ordered to pay Council's court costs. Court hearing for sentencing on 13 th July 2015 fined £2,500 with £120 VSC.
Thimsworra Farm, Dragons Lane, Moston	BRERETON RURAL	Erection of entrance walls and piers contrary to approved landscaping plan	Breach of Condition Notice	Breach of Condition Notice issued. Compliance due December 2014. Notice not complied with by original site owner. New site owner has removed the walls, reduced the height of the gate piers and painted the gates green. Walls replaced with post and rail fencing, planting yet to be carried out.

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Beech Skips, Betchton Cottage, Capers Lane, Betchton	BRERETON RURAL	Breach of Condition hours of operation.	Breach of Condition Notice	Breach of Condition Notice issued 23/11/15. Compliance due 23/12/15
Sycamore Cottage, Moss Lane, Ollerton	CHELFORD	Unauthorised stable block	Enforcement Notice	Enforcement Notice issued 7/1/15. Appeal Lodged. Appeal Dismissed. Enforcement Notice Quashed and Planning Permission Granted. CASE CLOSED
Woodside Farm, Grotto Lane, Over Peover	CHELFORD	15 Unauthorised Dwellings	Enforcement Notice	NEW: S106 signed to protect affordability of housing, impose control over ecological issues, compliance with original planning conditions and future development on site. Enforcement Notice issued 17/9/15. No appeal lodged. Enforcement Notice complied with. CASE CLOSED
Land North of Pedley Lane, Timbersbrook	CONGLETON EAST	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 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. Counsel opinion obtained with regards to current situation. Matter under review.
Coppenhall House, Groby Road, Crewe	CREWE EAST	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 but still some which remain outstanding. Owner to be given a final opportunity for full compliance prior to consideration of further legal action.
Rear of 91 Hall O'Shaw Street, Crewe	CREWE EAST	Untidy Land	S215 Notice	Untidy Land Notice issued. Compliance due October 2014. Notice not complied with. Decision required with regards to further action which could take the form of a prosecution or direct action. New Notice issued 01/12/15 as a result of new information of land ownership. Notice comes into effect on 3 rd January 2016 and allows a period of one month for compliance.

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24 Gresty Road, Crewe	CREWE SOUTH	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
20 Gresty Road, Crewe	CREWE SOUTH	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
Land adjacent to Riverswood, Strines Road, Disley	DISLEY	Unauthorised use of land as a Residential Caravan site	Enforcement Notice	Enforcement Notice issued 11/6/15. Appeal Lodged. Appeal Decision awaited
Oakton Stud Farm, Thisilldous, Macclesfield Road, North Rode	GAWSWORTH	Unauthorised erection of a dwellinghouse	Enforcement Notice	Enforcement Notice issued. Compliance due 30/12/14. Notice not complied with. Works underway to erect new dwelling granted planning permission in 2011. Planning permission granted in 2015 to retain unauthorised dwelling as an office. Case to remain open to check that residential use of unauthorised dwelling ceases when new dwelling is completed and its use changes to an office.
Land west of Bramhall Hill North Rode	GAWSWORTH	Unauthorised Stables	Enforcement Notice	Enforcement Notice issued. Appeal Lodged. Appeal Dismissed. Enforcement Notice complied with. CASE CLOSED.
Haslington Hall, Holmshaw Lane, Haslington, Crewe	HASLINGTON	Unauthorised Modular Building	Enforcement Notice	Enforcement Notice issued 25/06/15. Due to be complied with by 27 th August 2015. Planning application submitted and awaiting determination.
Mere End Cottage, Mereside Road, Mere, Knutsford	HIGH LEGH	Unauthorised erection of dwellinghouse 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.
Land at Spinks Lane, Pickmere	HIGH LEGH	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. 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

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Boundary Farm Peacock Lane High Legh	HIGH LEGH	Unauthorised change of use of agricultural land to garden. Erection of building, patio and play equipment	Enforcement Notice	Enforcement Notice issued 10/3/15. Appeal lodged 16 th April 2015 but withdrawn on 18 th June 2015. Notice due to be complied with by 18 th October 2015.
Land Opposite Five Acre Farm, Cledford Lane, Middlewich	MIDDLEWICH	Unauthorised operation development, erection of a building and boundary walls	Enforcement Notice	NEW: Enforcement Notice issued 05/08/15, Appeal lodged. Appeal decision awaited.
Oakleigh, Childs Lane, Brownlow	ODD RODE	Unauthorised construction of an outbuilding	Enforcement Notice	Enforcement 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. Mitigation measures were due to be completed by 9 November 2014 and reduction in height by 9 January 2015. Owner declared bankrupt, property for sale. Evidence of barn owls found in recent survey, further survey required but current owner unable to fund the necessary survey. Ongoing discussions with owner.
Land to the Rear of Rose Cottage, Chells Hill, Church Lawton	ODD RODE, BRERETON RURAL	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 building). Planning application refused. Appeal lodged against refusal of planning application. 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 stayed open to ensure condition is complied with or building demolished. Condition complied with. CASE CLOSED.
Elm Beds Caravan Park, Poynton	POYNTON EAST AND POTT SHRIGLEY	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.
Land adjacent to 5 Rushmere Close, Adlington	POYNTON WEST AND ADLINGTON	Unauthorised change of use of land to garden	Enforcement Notice	Enforcement Notice issued 18/2/15. Appeal lodged. Appeal Dismissed. Compliance due 29 th June 2016

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PSS Nurseries, 9 Lees Lane, Newton, MSA	PRESTBURY	Unauthorised erection of timber building, glasshouse and conservatory	Enforcement Notice	Enforcement Notice issued. Appeal Lodged. Appeal Dismissed. Notice partially complied with. Planning permission granted on alternative site and so business relocated and site closed. Glass house and timber building removed. Planning permission 15/0197M granted on 22 September 2015 for change of use of building (including conservatory) to dwelling house. Case to remain open to ensure that permission for use as a dwelling house is implemented before September 2018
PSS Nurseries, 9 Lees Lane, Newton, MSA	PRESTBURY	Unauthorised use for storage and sale of non horticultural items. Formation of hardstanding and erection of walls	Enforcement Notice	Enforcement Notice issued. Appeal Lodged. Appeal Dismissed. Notice substantially complied with. Planning permission granted on alternative site and so business relocated and site closed. Hardstanding and walls removed. Site in process of being cleared of all items (including non horticultural items). Final site visit required to take a view as to whether items to be required by Notice have been removed.
Asana Collar House Drive Prestbury	PRESTBURY	Unauthorised fencing around pitch and floodlights	Enforcement Notice	Enforcement Notice issued 1/4/15. Appeal lodged. Appeal decision awaited
Mottram Wood Farm Smithy Lane Mottram St Andrew	PRESTBURY	Unauthorised Dwelling	Enforcement Notice	Enforcement Notice issued 10/06/15. Notice due to be complied with by 10/5/18 (special circumstances for lengthy compliance date)
Oakotis Heath Road, Sandbach	SANDBACH HEATH & EAST	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. Case to be reviewed.
30 Lime Close, Sandbach	SANDBACH TOWN	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.

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Styal Moss Nursery, Moss Lane, Styal	WILMSLOW LACEY GREEN	Unauthorised use of land for airport parking	Enforcement Notice	Enforcement Notice issued. 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. Appeal dismissed. Appeal Decision quashed in High Court and appeal remitted back to SoS. Site being monitored for compliance with Notice i.e. no more than 200 cars
Unit 5 Blakelow Business Centre, Newcastle Road,	WILLASTON AND ROPE	Breach of Condition relating to hours of operation and noisy activities.	Breach of Condition Notice	Prosecution proceedings instigated with regards to hours of operation. Papers with Legal.
Lode Hill, Altrincham Road, Styal, Wilmslow	WILMSLOW LACEY GREEN	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 hardstanding to be removed). Planning Inspectorate made typing error in their formal Decision Letter which cannot be corrected and may result in the Council being able to pursue the removal of the hard standing. Legal advice being sought.
Haycroft Farm, Peckforton Hall Lane, Spurstow	WRENBURY	Unauthorised operational development and engineering works	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Notice substantially complied with, but awaiting painting of roof. Awaiting full compliance. Permission grated for alterations to building. CASE CLOSED
Six Acres, Wirswall Road, Wirswall	WRENBURY	Material change of use from agriculture to a mixed use of agriculture and the parking of non-incident vehicles, equipment, materials, children's play equipment and domestic chattels.	Enforcement Notice	Enforcement Notice issued. Compliance due 8 th December 2014. Notice complied with. CASE CLOSED
Six Acres, Wirswall Road, Wirswall	WRENBURY	Construction of a building and creation of a hard standing	Enforcement Notice	Enforcement Notice issued. Appeal dismissed. Prosecution authorised. Papers with legal.
Land at Chorlton Lane, Crewe	WYBUNBURY	Change of use of land from agriculture to a use for the storage and distribution of timber, including the siting of ancillary portacabins, trailers, waste containers, vehicles and a caravan used for residential purposes.	Enforcement Notice	NEW: Enforcement Notice issued 10/12/14. Compliance due 8 th March 2015. Partial compliance only achieved. Prosecution proceedings instigated, court hearing adjourned owing to health of defendant, due back in court January 2016. Requirements of Notice have now almost been met.

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