

SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of:	Director of Regeneration & Development Services	
Date:	16 September 2014	
Subject:	Planning Report	
Author of Report:	Trevor Sullivan	
Summary:	Unauthorised installation of external wall Insulation to 111 Page Hall Road. Planning Application 14/01888/FUL	
Recommendations: That the Director of Regeneration and Development Services or Head of Planning be authorised to:		
Highways Co Page Hall Ro		
Page Hall Ro	Take no further action in relation to external wall insulation at 111 Page Hall Road, which has already been agreed at the 24 June Planning and Highways Committee	
Background Papers:		
Category of Report: OPEN		

REGENERATION AND DEVELOPMENT SERVICES

REPORT OF PLANNING AND HIGHWAYS COMMITTEE 16 SEPTEMBER 2014

PLANNING REPORT

PLANNING APPLICATION 14/01888/FUL

111 PAGE HALL ROAD, SHEFFIELD, S4 8GU

CLADDING OF DWELLINGHOUSE WITH INSULTATED RENDER

PURPOSE OF THE REPORT

1.1 The purpose of this report is to inform members of an error in the recommendation for this application which was considered at the Planning and Highways Committee of 26 August 2014, to apologise to members for the error and to make recommendations on further action required.

2. BACKGROUND

2.1 Members may recall that the application, which was retrospective, was for cladding of the house with insulated render and it was refused for the following reason:

'The Local Planning Authority considered that the insulated cladding obscures special architectural features on the building, to the detriment of the character and appearance of the property. The proposed development is injurious to the character of the property itself and the wider street scene. It would therefore be contrary to policy H14 of the Unitary Development Plan, Guideline 1 of the Council's Supplementary Planning Guidance on Designing House Extensions and policy CS74 of the Core Strategy.'

- 2.2 Members may also recall that it was agreed that the Director of Development Services or the Head of Planning be authorised to take all necessary steps, including enforcement action and the institution of legal proceedings, if necessary, to secure the traditional features that have been obscured by the cladding are re-instated.
- 2.3 Unfortunately, at the time of writing the report on 111 Page Hall Road, officers were unaware of an earlier Enforcement Report which was agreed at the Planning and Highways Committee of 24 June 2014. This report

addressed the unauthorised installation of external wall insulation (EWI), a form of cladding, to 31 houses on Staniforth Road, Earl Marshall Road and Page Hall Road. 111 Page Hall Road was included in this group of houses.

- 2.4 In considering whether or not EWI render can be accepted as Permitted Development (PD), it is the case to qualify as PD, the view of this Authority is that the replacement materials at the front need to be of a similar colour and style as the existing material. A brick property would need a brick like finish, for example.
- 2.5 The assessment in paragraph 5.8 of the Enforcement report of the EWI finish to the front elevation of 111 Page Hall Road noted that the traditional stone heads and cills detail and the red brick finish had been lost due to over cladding, giving a blank finish to the front elevation, spoiling the look and character of the property and the wider terrace of houses as a whole.
- 2.6 The assessment in the officer report for the planning application on the 26 August Planning and Highways Committee reached the same conclusion, resulting in the recommendation for refusal.
- 2.7 Members authorised action, including enforcement action and the institution of legal proceedings if necessary to prevent further harmful, unauthorised external wall insulation to elevations fronting the highway. However, Members also agreed that no further action be taken on addresses set out in paragraph 9.1 of the Enforcement report, which included 111 Page Hall Road.
- 2.8 It is the case, therefore, that two separate, differing courses of action have been agreed on the same property by the Planning and Highways Committee, following recommendations made by officers.
- 2.9 Your officers apologise for this regrettable situation. The reason it arose was because this planning application was submitted before the matter was reported as an enforcement matter. Hence, there was no record of an enforcement procedure registered against it. Current technical procedure effectively links enforcement cases with subsequent planning applications intended to resolve a breach of planning control. Your officers will be updating enforcement records to ensure that this situation does not arise again.

3. ASSESSMENT OF ENFORCEMENT OPTIONS

3.1 Sections 171, 172, 183 and 187 of the Town and Country Planning Act set out various options for resolving breaches of planning control which would allow officers to pursue the action agreed at the 26 August Committee.

However, there are two reasons why significant weight should be given to considering the option of taking no further action which was agreed at the earlier Committee of 24 June.

- 3.2 Full consideration of the EWI cladding was carried out along with an assessment of the impact on all 31 properties which resulted in the recommendation of no further action being taken. Members supported this recommendation and it is considered that this carries weight.
- 3.3 It is considered that to pursue enforcement action to secure the removal of the cladding on only one house out of the 31 assessed would be unreasonable and unfair.
- 3.4 It is considered that no further action should be taken with respect to the removal of the cladding. Members should be aware that officers will, in the event of the recommendation of this report being supported, contact the occupier of 111 Page Hall Road with a view to resubmitting the application for the cladding to regularise the situation regarding the removal of the cladding. The new application would not require a fee.

4. EQUAL OPPORTUNITIES

4.1 There are no equal opportunity implications arising from the recommendation in this report.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from the recommendation in this report.

RECOMMENDATION

- 6.1 That the Director of Regeneration and Development Services or Head of Planning be authorised to:
- (i) Disregard the authority given at the 26 August 2014 Planning and Highways Committee to secure the removal of the cladding at 111 Page Hall Road.
- (ii) Take no further action in relation to external wall insulation at 111 Page Hall Road, which has already been agreed at the 24 June Planning and Highways Committee.

Maria Duffy 2014

Head of Planning

4 September

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