



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of Regeneration & Development Services

Date: 18 August 2015

Subject: Enforcement Report
2A Woodhouse Road S12 2AZ

Author of Report: Fiona Sinclair

Summary: To inform committee members of a breach of the Advertisement Regulations and to make recommendations on any further action required.

Reasons for Recommendations:

To remedy the breach of Advertisement Control

Recommendations:

That the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of unauthorised advertisements at 2A Woodhouse Road.

The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

ERECTION OF UNAUTHORISED SIGNS AT 2A WOODHOUSE ROAD S12 2AZ.

1. PURPOSE OF REPORT

- 1.1 To inform committee members of a breach of the Advertising Regulations and to make recommendations on any further action required.

2. BACKGROUND

- 2.1 2A Woodhouse Road is a single storey prefabricated building that was originally clad in asbestos cement sheets, but has recently had its front elevation re-clad in natural stone to improve the appearance of the building.
- 2.2 The property is currently being used as a booking office for taxis; and is located on the edge of a local shopping centre, as defined in the UDP, with the area immediately adjacent being identified as a housing area.
- 2.3 A complaint, from a member of the public was received alleging the office was being visited by potential clients, and that a number of obtrusive advertisements had been attached to the front and side elevations of the property.
- 2.4 Correspondence was sent to the owners reminding them that their planning permission prohibits the use of the premises as a public booking office; that the signs require advertisement consent, but that it was unlikely to be granted; and that they should apply for retrospective planning permission for the recladding of the building.
- 2.5 The owner responded to this letter, and confirmed that measures would be taken to stop people calling at the office to book taxis and that an application would be submitted to regularise the recladding work. However, he seemed reluctant to remove the signs.
- 2.6 Thus far the owner has cooperated with the Local Planning Authority with regard to the use of the premises, and although he has declined to submit a retrospective application for planning permission, for the recladding this work is not considered as being harmful to the visual

amenities of the area and so it would not be expedient to take enforcement action.

- 2.7 However, the owner has yet to remove the advertisements that are visually obtrusive and considered to cause significant visual harm to the street scene, given its residential nature (See photographs 1&2).

3 ASSESSMENT OF BREACH OF CONTROL

- 3.1 The property is located within the Local Shopping Area as defined within the UDP.
- 3.2 Unitary Development Plan Policy BE13 (v) Advertisements, states that the design of all signs and advertisements will relate in scale and design to their surroundings.
- 3.3 The National Planning Policy Framework (NPPF) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.
- 3.4 The signs are considered to be visually intrusive and to harm the amenities of the street scene, from a point of view of their size, number and design; and are, therefore, contrary to policy BE13 of the UDP, and the provisions of the NPPF.
- 3.5 The photographs, below show the property in question and demonstrate the negative impact that the signs have on its appearance and that of the street scene, particularly given the residential context of this particular building. The signs are overly large and crudely positioned on the elevations.

Photographs 1 & 2
The Property's principle elevation as viewed from Woodhouse Road



4. REPRESENTATIONS.

4.1 A complaint was received from a member of the public.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

5.1 Section 171C of the Town and Country Planning Act provides for the service of a Planning Contravention Notice. The notice requires information about the breach of planning control and property ownership. It also gives an opportunity for the recipient to meet with officers to make representations. Such a meeting could be used to encourage regularisation by retrospective application and/or discussions about possible remedies where harm has resulted from the breach. In this case it is clear that the advertisements are in breach of planning control and as such it is not considered that the serving of a PCN would be of any value.

5.2 It is an offence to display without consent a sign that requires express consent under the Town and Country Planning (Control of Advertisements) Regulations 1992. A prosecution can be brought under Section 224(3) of The Town and Country Planning Act 1990.

6 EQUAL OPPORTUNITIES

6.1 There are no equal opportunity issues arising from the recommendations in this report.

7 FINANCIAL IMPLICATIONS

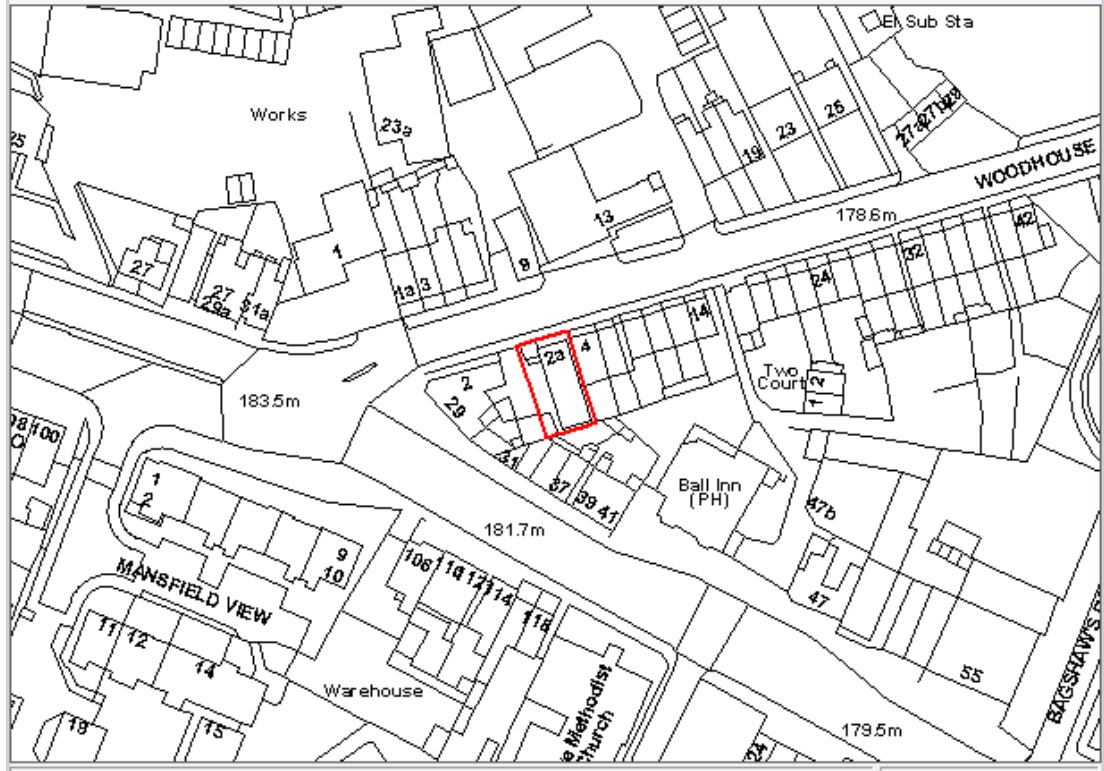
7.1 There are no additional financial implications expected as a result of this report. If an appeal is made against the enforcement notice, costs can be made against the Council if it is shown that they have behaved "unreasonably" in the appeal process, it is uncommon that this will happen. However, in the unlikely event compensation is paid, it would be met from the planning revenue budget.

8.0 RECOMMENDATIONS

8.1 That the Director of Regeneration & Development Services or Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the removal of the unauthorised signs at 2A Woodhouse Road.

8.2 The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Site Plan



Maria Duffy
Head of Planning Service

06/08/2015