



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

---

**Report of:** Director of Development Services

---

**Date:** 17 May 2016

---

**Subject:** Quarterly overview of enforcement activity

---

**Author of Report:** Khalid Mahmood

---

**Summary:** To inform members of the planning enforcement work being carried out in addition to the formal cases on the quarterly update report and to give an overview of the overall quality of the service provided by planning enforcement.

---

### **Reasons for Recommendations:**

The purpose of this report is to give Committee Members an overview of planning enforcement work being carried out and the quality of service provided across the City.

### **Recommendations:**

That members note the report.

---

### **Background Papers:**

---

**Category of Report:** OPEN

17 MAY 2016

QUARTERLEY OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the quarterly report to inform members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1<sup>st</sup> January 2016 to 30<sup>th</sup> April 2016.

2. ACTIVITY DURING THE QUARTER

- 2.1 A large proportion of cases are closed through negotiation to remedy breaches or to regularise developments. However, where necessary, strong action is also taken to try and ensure speedy compliance. A 215 Notice was served on the former Hare and Hounds on Church Street in Stannington, the Notice required the full demolition of the former public house within 28 days. The owners and their planning representative met the Enforcement Officer and negotiated a longer compliance period to allow for a planning application for residential properties on the site to be submitted. This was agreed on the provision that the owners tidied the building up immediately. The building has been tidied up and officers are waiting for an application to be submitted.
- 2.2 In the Broomhill area covered by the Article 4 direction the owner of a property had replaced the guttering, fascia and the roof slates at the front of the property with UPVC and artificial slate without consent. Officers negotiated the replacement of the fascia and guttering to timber and the roof slates to natural slate without serving a formal Notice.
- 2.3 Bennett Grange got planning permission in 2012 for a large extension to the basement level, including an underground swimming pool. This was excavated and the spoil placed in an adjoining field, including several dozen large boulders, intended for crushing on site to use as ballast. Following a period of inactivity, a complaint came in about the general state of the field and the materials dumped on it. Officers met the owner on site, and negotiated and an acceptable schedule of works to carry out. A S215 Notice was served, which took into account that schedule. The materials have now been removed in compliance with the Notice and the land has been returned to its former state.

### 3 SCALE OF INVESTIGATIONS, INCLUDING MONITORING AND ENFORCEMENT

3.1 A total of 198 enforcement complaints were received, out of these 52% were concerned with unauthorised development and use, and 39% were failure to comply with planning conditions or approved plans. The percentage of cases involving Section 215 untidy land/buildings was 5%, unauthorised advertisements including hoardings were 3% and all other complaints were 1%.

3.2 The number of cases resolved within the target of 6 months was 46% of all the cases closed in the period. This has fallen short of the Service target of 60% for cases closed within 6 months. The low percentage is possibly the effect of a loss of one member of staff through the Place budget cuts. There are currently 541 live cases.

3.3 The table below shows the number of complaints received in the last year 2015/16 and the previous year 2014/15:-

Year 1 <sup>st</sup> April 2014 – 31 <sup>st</sup> March 2015	Year 1 <sup>st</sup> April 2015 – 31 <sup>st</sup> March 2016
595	584

3.4 The number of new cases received over the last 12 months compared to the previous 12 months has remained consistent.

### 4 WILLINGNESS TO TAKE STRONG ACTION

4.1 The table below shows the number of formal Notices served and prosecutions carried out within this period and the previous three quarters as well as the years 2014/15 and 2015/16 to show trends: -

Notice type	Year 1 <sup>st</sup> Apr 2014 to 31 <sup>st</sup> Mar 2015	Year 1 <sup>st</sup> Apr 2015 to 31 <sup>st</sup> Mar 2016	Quarter 1 1 <sup>st</sup> Apr – 30 <sup>th</sup> Jun 2015	Quarter 2 1 <sup>st</sup> Jul – 30 <sup>th</sup> Sep 2014	Quarter 3 1 <sup>st</sup> Oct – 31 <sup>st</sup> Dec 2015	Quarter 4 1 <sup>st</sup> Jan – 31 <sup>st</sup> Mar 2015
Breach of Conditions	13	16	6	3	4	3
Discontinuance (adverts)	11	0	0	0	0	0
Enforcement	18	14	6	2	3	3
Stop	0	0	0	0	0	0
Temporary Stop	1	2	2	0	0	0
Section 215 (untidy land)	10	6	1	1	1	3
Section 225 (signs)	43	20	5	13	2	0
Total Notices Served	96	58	20	19	10	9
Prosecutions	8	16	2	4	7	3

4.2 The number of formal Notices that have been served in the last 12 months has decreased, mainly due to not as many S225 notices served in relation to illegal signs. However, number of prosecutions

has increased. The number of Enforcement Notices, Breach of Condition Notices served in the last quarter has remained consistent.

## 5. CONCLUSION

5.1 The six month service target has fallen; however, this is expected due to the loss of one member of staff through the recent Place budget cut. The number of Notices served and prosecutions has remained consistent.

5.2 It also should be noted that the overview of the enforcement activity will now be presented to Members every six months. This will allow the Enforcement Team Leader extra time to deal with enforcement enquiries whilst still making the Enforcement Service transparent and accountable.

## 6. RECOMMENDATION

6.1 It is recommended that Members note the report.