

## QUARTERLY UPDATE ON LIVE ENFORCEMENT CASES IN CITY CENTRE & EAST AREA

### Report abbreviations

PP	Planning Permission	EN	Enforcement Notice
PD	Permitted Development	PCN	Planning Contravention Notice
BCN	Breach of Condition Notice	S330	Notice under Section 330 of the Act requiring details of interest in land
S215	Notice under Section 215 of the Act – Land adversely affecting amenity of neighbourhood.	S225	Notice under section 225 of the Act requiring removal of illegally displayed placards or posters
TSN	Temporary Stop Notice		

### ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

NO	SITE	BREACH	DATE OF BOARD RESOLUTION/ DELEGATED AUTHORITY	CURRENT SITUATION
1.	Adjacent to Bailey Bridge, Effingham Street, S4 7YP	Unauthorised telecommunications mast	15/10/13	<b>11/11/13 – Appeal against planning application has been dismissed. In discussions with owners to remove the mast.</b>
2.	15 Dundas Road, S9	Unauthorised flue	15/10/13	<b>05/11/13 – Application (13/02291/FUL) has been refused with enforcement action. A letter has been sent to the owner requesting the removal within 14 days. If flue not removed within the next few days then EN will be served.</b>

3.	37 Westfield Avenue, S12 4LG	Unauthorised high fence	15/10/13	<b>05/11/13 – Application (13/01874/FUL) has been refused with enforcement action. EN being prepared</b>
4.	5 & 7 Pleasant Close, S12 2BB	Breach of condition 15- Surface water drainage, 20 – Intrusive investigation report, 21, 22 and 25 – relate to remediation works	22/10/13	<b>05/11/13 – BCN has been served on 4/11/13 and comes into effect 28 days after it was served.</b>
5.	Tesco, 1 Savile Street, S4 7UD	Breach of condition 30 – Landscaping, 31 – Public realm works, 33 – Maintenance of the sward, 46 - Revised remediation strategy	11/10/13	<b>05/11/13 – BCN has been served 21/10/13 and comes into effect 28 days after it was served.</b>
6.	Units 6A and 6B Junction 34 Industrial Estate, Gresboro Road, S9	Breach of Condition 6 – use of building between 0900 to 1700 Monday to Friday and 0900 to 1300 on Saturday	09/09/13	<b>05/11/13 – BCN has been served and has come into effect. The notice is being complied with. Application (13/03662/CHU) has been submitted to vary condition – Continue to monitor.</b>
7.	60 Clifton crescent, S9 4BE	Unauthorised use of garden for the storage of building materials and machinery	13/08/13	<b>05/11/13 – Most of the rear garden has been cleared – Monitor site and if use starts again then serve EN.</b>
8.	17 Fielder Mews, S5 6GY	Unauthorised single storey extension	08/04/13	<b>05/11/13 Committee has authorised NFA on 03/09/13. – NFA 03/07/13 – New PD rules came into effect before EN could be served. Currently PD, however neighbours are being consulted and will report findings back to Committee. 15/04/13 – EN being prepared.</b>
9.	104 Stafford Road, S2 2SF	Unauthorised conservatory	25/02/13	<b>05/11/13 – Awaiting decision from Planning Inspector. 04/04/13 – EN has been served on 19/03/13, takes affect 22/04/13 – 8 weeks compliance period.</b>

10.	Steel House, 53-59 West Street, S1 4EQ	Unauthorised Use of premises as a night club	25/02/13	<b>05/11/13 – New application (13/01495/CHU) has been submitted (Invalid).</b> 15/04/13 – Letter asking to stop the unauthorised use and a S330 Notice has been served.
11.	35-39 Southend Road, S2 5FS (Former Windsor Hotel Public House)	Unauthorised formation of self contained flats at first floor level	04/02/13	<b>05/11/13 – Work is progressing positively to comply with conditions.</b> 03/07/13 – Planning permission has been granted and work is being carried out to comply with conditions.12/04/13 – PCN has been served asking for further information regarding the first floor flats. 12/02/13 – New planning application (13/00207/FUL) has been submitted with alternative proposal and is currently Invalid. Letter has been sent asking for further information to validate application.
12.	11 Holywell Road, S4 8AR	Unauthorised use of premises for skip hire	14/01/13	<b>05/11/13 – EN and SN currently being complied with – Monitor site.</b> 23/01/13 – EN and SN served (17/01/13) – Monitor Site – Currently complying with SN
13.	Alma Street, Sheffield, S3 8SA	Unauthorised Car Park	17/12/12	<b>05/11/13 – Appeal has been dismissed, however there is an error on the appeal decision which has been raised with Planning Inspector. The appeal decision will probably be reissued with a new compliance date.</b> 03/07/13 – Awaiting decision from Planning Inspectorate. 04/04/13 – An appeal has been made against the EN. 25/01/13- EN served 24/1/13 - Compliance period is 28 days from when the notice is served

14.	Land Adjacent The Old Dairy 8, White Lane, Gleadless, S12 3GB	Unauthorised erection of summer house decking area and climbing frame and the unauthorised use of land for domestic curtilage	05/11/12	<b>05/11/13 – Appeal has been dismissed 6 month compliance period from 24 October 2013.</b> 03/07/13 - Case with the Planning Inspectorate. 04/04/13 – An appeal has been made against the EN. 23/01/13 – EN has been served (14/12/12) and an appeal has been made.
15.	64-68 Wicker, S3 8JD	Unauthorised erection of flues at rear of 64 and 66 Wicker, unauthorised erection of first floor rear extension and railings at 66 Wicker and the unauthorised erection of rear extension, steps, railings and the creation of an entrance door at the side of 68 wicker, and untidy appearance of the side elevation of 68 Wicker.	05/11/12	<b>05/11/13 – Planning permission (13/01597/FUL) for the alterations has been granted with conditions. The unauthorised flue at No 64 has been removed – Monitor site.</b> 03/07/13 – Some of the required works have been carried out, a planning application has also been submitted to regularise the other works. A prosecution file has also been prepared and sent to litigation with a view that if all works are not carried out or if the applications are refused then the matter will be presented to court without delay. 04/04/13 – EN’s and S215 have not been complied with, a site meeting has been arranged to discuss what needs to be done to comply with these Notices. Prosecution file is also being prepared and will be passed to litigation. 23/01/13 – EN’s have been served on 4/12/12 and a S215 Notice has also been served on 68 Wicker. Compliance period 3 months from when the notice was served.

16.	28 Ebenezer Street, Sheffield S3 8SR	Untidy Land – derelict building in a state of disrepair	29/10/12	<b>05/11/13 – Planning permission has been granted – Monitor site.</b> 03/07/13 – Planning application (13/01940/FUL) has been submitted - invalid. 04/04/13 – S215 Notice has been served on 29/10/12 – Owner currently negotiating pre-app for residential on site.
17.	44 Fellbrigg Road, Sheffield, S2 2GX	Unauthorised erection of a timber storage building at the front elevation of the property	13/08/12	<b>05/11/13 – File with litigation.</b> 04/04/13 – Prosecution file being prepared. 25/01/13 – EN has been served needs to be complied with before 16 Feb 13.
18.	255 Glossop Road, S10 2GW	Unauthorised fume extraction system	23/07/12	<b>05/11/13 – Flue has been removed and a new approved flue has been erected. Minor details to be resolved.</b> 03/07/13 – Planning application has been granted with conditions – Condition 1 - asking for the flue to be replaced within 6 weeks from decision. To date the condition has not been complied with and the matter is being reported to prosecution. 04/04/13 – Planning and Listed Building application (12/03919/FUL and 12/03920/LBC) have been submitted and under consideration for alternative scheme. 29/10/12 – EN has been served and took effect on 26/10/12 and needs to be complied with before 26/01/13.

19.	361 Staniforth Road, S9 3FP	Breach of Condition (02/02562/CHU) Condition 2 – use of building within 7am and 7pm Condition 3 – cooking facilities and Condition 6 provide a receptacle for the disposal of litter.	30/01/12	<b>05/11/13 – The occupier has contacted the architect and has assured that the required information will be submitted before end of Nov.</b> 03/07/13 – The application still remains invalid the architect has had bereavement in family therefore not been able to submit required details, however assurances have been given that they will be submitted asap. 04/04/13 - A retrospective planning application (12/03059/FUL) has been received to retain the current use. Currently it is Invalid – the Architect has assured Officers that the required information will be submitted within next 2 weeks. Awaiting further information. Any further enforcement action is to be held in abeyance until the outcome of the decision.
20.	Site Of Richardsons Cutlery Works, Alma Street and Cotton Street, S3 8SA	Unauthorised demolition of boundary wall	10/04/12	<b>05/11/13 – Appeal has been dismissed, however there is an error on the appeal decision which has been raised with Planning Inspector. The appeal decision will probably be reissued with a new compliance date.</b> 03/07/13 - EN served (16/06/12) and has been appealed against, awaiting Planning Inspector's decision.
21.	44 Woolley Wood Road, S5 0UG	Unauthorised use of garden for the storage of scrap metal in connection with scrap metal business	10/04/12	<b>05/11/13 – No further breach monitor site.</b> 29/10/12 – Advice from Solicitor is that there is not enough evidence to prosecute at this time. Monitor site.

22.	272 Glossop Road, S10 2HS	Unauthorised cooling fan at rear of property	20/12/11	<b>05/11/13 – A 2<sup>nd</sup> prosecution file is being prepared.</b> 03/07/13 – A letter has been sent asking to remove the unit before August 2013. 11/02/13 – Appeared in Court on 31/01/13 pleaded guilty and was given a conditional discharge. Reminder letter to be sent asking to remove unit within 6 months. 19/12/12 and he asked for adjournment, was adjourned until 31/01/13. 29/10/12 – Prosecution file has been prepared and is currently with litigation. 02/07/12 – EN notice served on 10/02/12 and took effect on 16/03/12 – 2 month compliance period. EN not complied with.
23.	Former Foundry Worker's Club and Institute, Beaumont Road North, Sheffield, S2 1RS	Untidy Land – Derelict building in a state of disrepair	11/12/2011	<b>07/11/13 – Deadline for due payment is beginning of December if no payment is received then the property will be put in auction early next year.</b> 03/07/13 – Currently in the process of pursuing 'enforced sale' of the site. 29/01/13 - The derelict building on the edge of the Harborough Lower Manor Estate was demolished by appointed contractors early in April 2012 following non-compliance with a section 215 notice. The demolition was funded by the Local Growth Fund to unlock the site and make it viable for regeneration and development.
24.	Craggside, Eckington Rd, Beighton	Non payment of planning obligation monies, £7,323. Planning application 07/01057/FUL. Development complete.	20/12/10	<b>11/11/13 – Still pursuing payment.</b> 10/07/13 – Recent correspondence between applicant's solicitor and our litigation team. Hopeful of resolution shortly.

25.	1 – 17 Elmview Road, Wincobank	Unauthorised use of land situated at Elmview Road for breaking motor vehicles, siting of shipping containers and used vehicle parts	07/02/2011	<p><b>05/11/13 – Given that no recent complaints have been received and that the property is not being used for the breaking of vehicles. It is considered that at this time not to take any further action. However, the property will be monitored from time to time and if the use comes back or if a complaint is received then further action will be taken - NFA.</b></p> <p>04/07/13 – No activity at the property over the last few months – Monitor site. 11/02/13 – It appears that breaking of motor vehicles has stopped, however the land is still being used to store/park damaged vehicles and the shipping containers have not been removed. Monitor site over the next few months.</p>
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26.	1 Lumley Street, S4 7ZJ	10/02698/FUL non compliance with conditions 2 – development in accordance with approved plan 3 - Approved fence to be in place by 30 November 2010. 4 - New access. 6 - Stopping up redundant access	07/02/2011	<b>05/11/13 – Planning permission expired on 01/11/13, advice from litigation was to withdraw the current prosecution and the owner should re-apply for planning permission. New application (13/03658/FUL) has been submitted for the continuation of the use of the premises as a car wash. The application is currently invalid. Monitor.</b> 03/07/13 – Litigation file has been prepared and sent to solicitors for prosecution. 15/04/13 – A letter is being prepared by litigation and will be sent shortly. 25/01/13 – New BCN has been served and to date it has not been complied with. A prosecution file is being prepared and will be passed to litigation. 29/10/12 – After several discussions with owner have failed a new BCN is being prepared and will be served shortly.
27.	Land at 29 Garden Street	Non payment of planning obligation monies £155,119.80 secured in relation to 07/01148/FUL. The development has only reached excavation.	20/12/2010	<b>13/11/13 – New application has been granted - NFA</b> 10/07/13 - New planning application (13/00576/FUL) which will supersede this case as soon as revised scheme starts on site. 12/11/12 – Discussions with new owner re-commenced. The approved scheme unlikely to proceed and will be replaced by a new permission.

28.	40 Woolley Wood Road, S5 0UH	Unauthorised Business Use – Using garden as storage and breaking of scrap metal - The unauthorised use of highway between 36 and 46 for the open storage of scrap metal and the storage and parking of commercial vehicles and trailers. - Unauthorised use of premises for the storage and hire of skips	15/02/10, (Storage and Parking of Commercial Vehicles )10/04/12 and on (Skip Hire)14/01/13	<b>05/11/13 – All the EN's are being complied with - Monitor site.</b> 25/01/13 – EN and SN served (17/01/13) in relation to the skip storage and hire. – Monitor Site – Currently complying with SN. 06/11/12 – After discussions with the litigation solicitor it has been determined that we will not be able to enforce against the non compliance of the EN served on 13/04/12 relating to commercial vehicles parking in the highway, this is because it would be almost impossible for the Local Authority to prove that the land (highway) is in the control of the recipient of the EN. The planning service has done what we can and at this time can not take any further action regarding the parking of commercial vehicles on the highway. A multi agency approach to tackling the problem is being pursued.
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29.	484 Staniforth Road	Unauthorised roof extension	25/01/2010	<p><b>05/11/13 – Quotations being requested for possible direct action by SCC.</b></p> <p>04/04/13 – No solution offered by the owner, contact to be made in the next few weeks with the lending bank to see if it can assist in resolution. 11/02/13 – In discussions with owners (including mortgage provider) to find a resolution. 29/10/12 – The owner has said that he cannot afford to carry out the works required in the notice a meeting has been arranged with owner to discuss a plan of action. 02/07/12 – Letter sent on 11/05/12 reminding the owners that work needs to be carried out before 10/12. 02/04/12 – Monitor site until 10/12 for compliance. 13/01/12 – The owner cannot afford to carry out the works, extra 12 months given to comply with EN – check 10/12. 11/10/11 – Letter sent to owner giving two months to comply with EN or 2<sup>nd</sup> prosecution will begin. Work has not started yet. Trying to arrange site meeting with owner to clarify what is required. 08/07/11 – Fined £200 + 100 costs, reminder to be sent to comply with EN. 20/01/2011</p>
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30.	Adjacent to 5 Tansley Drive, S9 1LH	(09/02065/FUL) - Breach of condition 4 and 5 – landscaping	02/03/2009 (Breach of Condition - 22/05/2013)	<b>05/11/13 – Work has been completed and the notice has been complied with. NFA 03/07/13 – BCN has been served on 03/06/13 compliance period 28 days. Work has started on site to comply with condition – Monitor. 04/04/13 – Assurances have been given by the owner that the planting will take place in the next few weeks. 13/02/13 – Assurance have been given by the architect that work will be carried out in the next few weeks. 06/11/12 – Work has started and the weeds etc have been cleared. 25/07/12- Architect to remind owners to carry out landscaping. 02/04/12 – No work has been carried out yet - monitor site.</b>
31.	Jacosa, 141 West Street, S1 4EW	Unauthorised Roller Shutters	13/10/2008	<b>05/11/13 – The new occupier was prosecuted and fined £370 in total. The new occupier has assured that main entrance door will be replaced and then the shutters will be removed. – Monitor site. 03/07/13 – Reminder has been sent to the new occupiers asking that the EN is complied with. To date the EN has not been complied with. A prosecution file is being prepared. 04/04/13 – S330 Notice to be served in the next few days to establish new owner/occupier details. 25/01/13 – The occupier has changed again and currently in discussions with new occupiers in trying to resolve this issue.</b>