

ENFORCEMENT REPORT

BUILDING NOT IN ACCORDANCE WITH THE APPROVED PLANS
14/02579/FUL. SINGLE STOREY REAR EXTENSION TO
DWELLINGHOUSE AND ERECTION OF NEW QUADRUPLE GARAGES
AND RE-ROOFING OF EXISTING HOUSE (RE-SUBMISSION OF
13/02297/FUL (AMENDED PLANS RECEIVED 02/09/2014)
20 HALLAMGATE ROAD, SHEFFIELD S10

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform Committee Members of a breach of planning control and to make recommendations on any further action required.

2 BACKGROUND

- 2.1 This property is located within a residential area in the south west of the city and stands within the Broomhill Conservation Area. The garage which is subject to the report is located to the rear corner of the existing dwelling in close proximity to the neighbouring driveway.
- 2.2 The planning service received a complaint from a local resident that the above garage was not being built in accordance with the approved plans. Permission list no: 13/02297/FUL involved the new quadruple garages being built off the existing stone wall. During construction this wall was demolished which meant that the development was now unauthorised. Under planning approval 14/02579/FUL, a new side wall was to be erected and this was to form the side wall of the garage.
- 2.3 Several site visits have taken place and there was enforcement involvement before the submission of the above planning permission as a Temporary Stop Notice had to be served to cease work on the unauthorised development. This notice was complied with fully and only work that was approved on other areas of the site took place while the Notice was in effect.
- 2.4 There has been regular contact with the owners of the property and other local residents who have felt that regular monitoring of the site was necessary to ensure that the approved plans have been adhered to.

2.5 However, on the last check it was found that the eaves height of the garage had been increased to a height of 3.30metres instead of the approved height of 3metres. Although the overall ridge height is as it was approved, standing at 5metres.

3. ASSESSMENT OF THE BREACHES OF CONTROL

3.1 In assessing the breach, weight is given to relevant planning policy. The garage falls within a Housing Area and as such policy H14 part (a) Conditions on Development in Housing Areas within the UDP applies, which states that new development should be well designed and in scale and character with neighbouring buildings. H14 (part c) requires development not to significantly compromise the levels of light enjoyed by residential property. Policy BE16 "Development in Conservation Areas" reinforces this and requires that development should preserve or enhance the character and appearance of the conservation area. Policy CS74 of the Sheffield Core Strategy requires the use of good design, and for development to reflect the built form of the local area.

3.2 The main form of the garage building, comprising the general design, materials, ridge height and ground coverage have all been considered acceptable as part of application reference 14/03674/FUL. The built form deviates slightly from the approved drawings in that additional stonework has been added to the eaves in order to provide a concealed gutter. This comprises of an increase in 300mm over the approved ridge height.

3.3 In terms of the impact on design, the increase in height has resulted in a reduced visible roof-plane on either side (as the ridge height remains at 5m), and slightly taller side walls. The overall form is still considered to be in scale with the site and the main house, given that the ridge height and ground covered remains the same as the approved scheme. The changes are therefore not considered to be out of character nor out of scale with the built form of the local area, and do not compromise the character of the Conservation Area.

3.4 A previous garage scheme, under 14/02418/FUL, was refused planning permission with enforcement action, where the eaves height was 3.3m and the ridge height was 5.4m, whereby the design and heights of the building were considered out of scale with the site and the Conservation Area. However, the increase in the eaves height to 3.3m in the breach is not comparable to this refusal, as the increased eaves height has not increased the ridge height nor the general size and proportions of the front gable, which were the key elements of concern with this case. The size of the front gable remains similar to the previous approval under 14/03674/FUL, as the increase in eaves height is linked to the use of an integral gutter feature as opposed to a wholesale raising of the entire roof.

- 3.5 The increase in height is not outwardly noticeable when compared to what the height would have been had the garage been built to the approved plans, with the breach only discovered with the use of tape measuring equipment to assess the built height. In such circumstance, it is hard to conclude that the scheme is materially different to the approval under 14/03674/FUL.
- 3.6 The materials for the garage are in natural stone, as per the previous approval, and are considered acceptable. The coping elements are in new stonework, which is of suitable quality.
- 3.7 Due to the above, it is concluded that the breach has not compromised the design of the garage building, nor would add a feature that is out of character with the Conservation Area.
- 3.8 The increase in eaves height does not result in any significant overshadowing of neighbouring property, given that it is sited next to an access road, and so does not directly impact private amenity space. It is significantly distant from the closest windows of neighbouring property, over 8 metres.

4. REPRESENTATIONS

- 4.1 Complaints have been received from a local resident and that same resident has been in touch with one of his Councillors due to his concern that planning issues were being overlooked.

Part of the complaint is that two trees have been felled in a Conservation Area and that these were felled without the relevant consent. This matter is being investigated separately.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

- 5.1 Section 172 of the Act provides for the service of an enforcement notice, (EN). In this instance it an Enforcement Notice could be served if the Local Authority considered that the increase in height of the walls up to the eaves had a detrimental effect on neighbouring properties and if it was felt to be out of style and character with the surrounding buildings. In this case it is officers' opinion that as the ridge height of the garage has not been altered, the increase from 3metres to 3.3metres is minimal and as such we would not find it expedient to take formal enforcement action.
- 5.2 Section 183 of the Act provides for the service of a Stop Notice in conjunction with an enforcement notice, (s172). In this case the Stop Notice would prohibit further unauthorised development, but it is not deemed necessary to serve such a notice at this time as the development has ceased.
- 5.3 Officers also have the option, to recommend that no further action is taken. In a case like this, this recommendation would appear to the most appropriate course of action as although what has been constructed on site differs slightly

to the approved plan, it is officer opinion that this deviation has no negative impact on any third party, or upon the character of the Conservation Area.

6 EQUAL OPPORTUNITIES

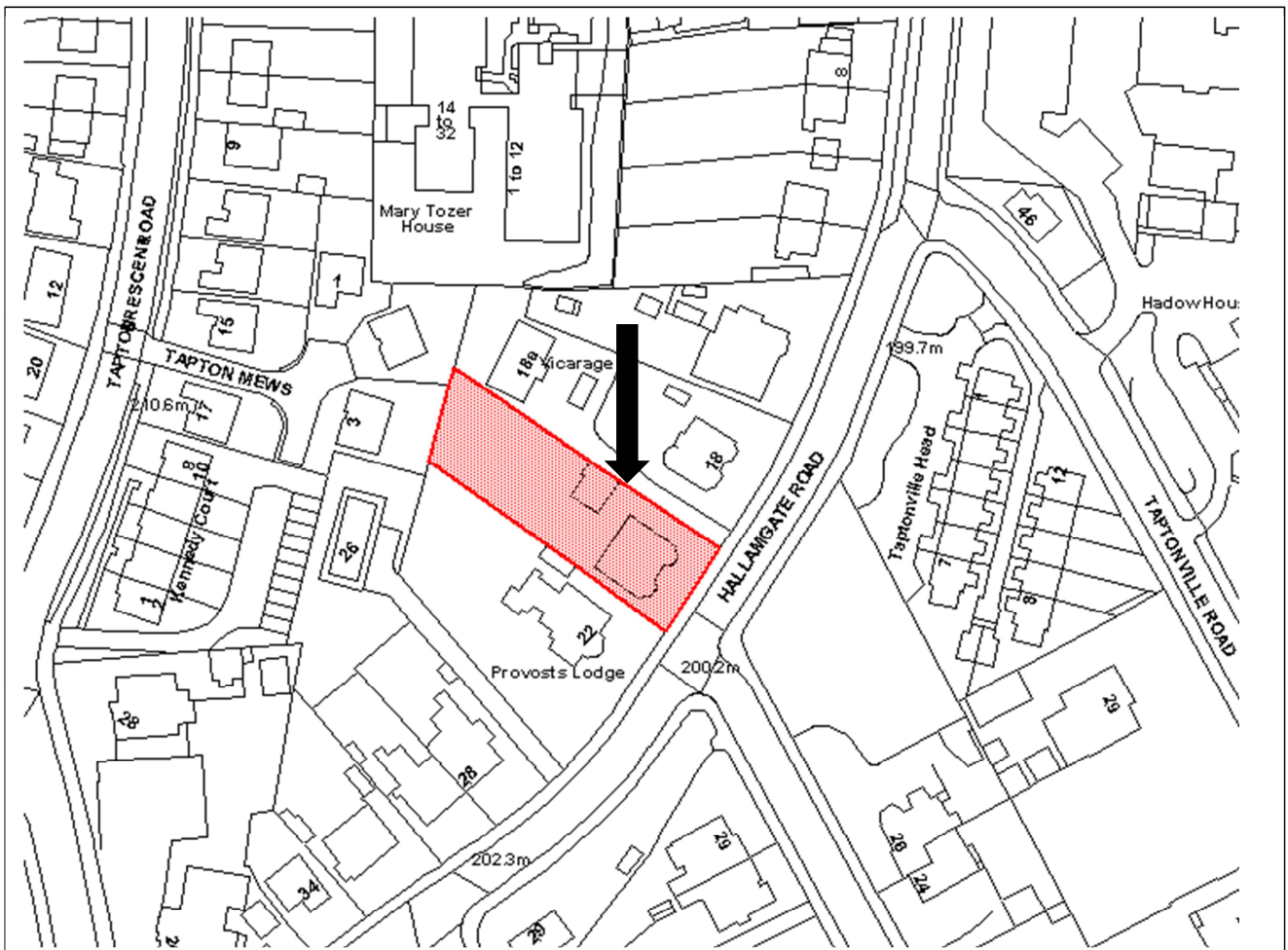
6.1 There are no equal opportunity implications arising from this report.

7 FINANCIAL IMPLICATIONS

7.1 There are no financial implications arising from the recommendations in this report.

8. RECOMMENDATIONS

8.1 It is the recommendation of this report to take no further action, with regard to this breach of control, for the reasons set out above.



Site plan for 20 Hallamgate Road, Sheffield, S10 5TN – With arrow showing location



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