

UPDATE ON LIVE ENFORCEMENT CASES IN SOUTH AREA

Report abbreviations

BCN	Breach of Condition Notice	PD	Permitted Development
DN	Discontinuance Notice	PP	Planning Permission
EN	Enforcement Notice	S215N	Section 215 Notice, to remedy untidy land
ESP	Enforced Sale Procedure	S330	Notice under Section 330 of the Act requiring details of interest in land
NFA	No Further Action	TPO	Tree Preservation Order
PCN	Planning Contravention Notice	TSN	Temporary Stop Notice

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
1.	Tesco Express, Clan House Turner's Lane, S10	Condition 4 relating to the management plan	15/04/2015	13/07/2015 – BCN has been served on 08/05/2015 and needs to be complied with by 04/06/2015 – assurances have been given that the condition will be complied with - Monitor
2.	24 Park Lane, S10	Condition 9 relating to landscaping	23/04/2015	13/07/2015 – BCN has been served on 30/04/2015 and needs to be complied by 27/05/2015 – BCN has not been complied with. File to be prepared for

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				prosecution.
3.	352 Sharrow Lane	Unauthorised replacement of windows	29/05/2015	13/07/2015 – EN has been served on 29/06/2015 and needs to be complied with by 16/11/2015.
4.	414 London Road, S2 4ND	Unauthorised Canopy	09/12/2014	13/07/2015 – EN has been served 16/01/2015 comes into effect on 16/02/2015 and needs to be complied with by 16/03/2015 – Most of the Notice has been complied with - Monitor
5.	215 -219 Fulwood Road, S10	Unauthorised roller shutter	03/03/2015	13/07/2015 – EN has been served on 09/04/2015, takes effect 11/05/2015 and compliance by 31/08/2015.
6.	166 Abbeydale Road, S7	Unauthorised canopy	03/03/2015	13/07/2015 – EN has been served on 09/04/2015 and takes effect on 11/05/2015 and compliance by 31/08/2015. 22/05/2015 – EN has been served on the 09/04/2015, comes into effect on the 11/05/2015 unless an appeal is made (16 week compliance period).
7.	13 College Street, S10 2PH	Unauthorised replacement of roof tiles within an Article 4 Area	11/04/2014	13/07/2015 – Prosecution file being prepared for litigation. 20/01/2015 – The time period for compliance has expired and reminder letter to be sent.
8.	Vestry Hall 80 Crookesmoor	Untidy Grade 2 Listed building	16/10/2014	13/07/2015 – Appeal has been lodged and is due in Court on the 11 August for

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	Road Sheffield S6 3FR			full hearing. 19/01/2015 – A S215 Notice has been served on the 16/10/2014. An appeal has been made. Statements being done for hearing in Court.
9.	245 Ecclesall Road Sheffield S11 8JE	Breach of Condition 3 relating to premises opening beyond permitted hours and condition 6 relating to amplified sound	25/10/2014	13/07/2015 – Found guilty and fined a total of £150, surcharge £20, costs £150 and (Criminal Court Charge) of £150 – total £470. 22/04/2015 – Due in Court on the 21/05/2015. 19/01/2015 – A BCN has been served, the Notice is not being complied with. Witness statements being done for prosecution.
10.	140-142 Abbeydale Road, S7 1FF	Unauthorised canopy	16/09/2014	13/07/2015 – File being prepared for prosecution. 22/04/2015 – The EN has not been complied with reminder letter to be sent if no response the matter will be reported for prosecution. 16/01/2015 – EN has been served on 30/10/2014 and needs to be complied with by 19/03/2015.
11.	755-757 Abbeydale Road, S2 7BG	Unauthorised canopy	16/09/2014	13/07/2015 – File being prepared for prosecution. 22/04/2015 – Planning application has been granted for new alternative canopy. Reminder letter to be sent asking to remove existing unauthorised canopy, if no response the

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				<p>matter will be reported for prosecution. 16/01/2015 – EN has been served on the 30/10/2014 and needs to be complied with by 16/03/2015. Planning permission for retractable canopy has been granted (14/04380/FUL) – Monitor 14/10/2014 – Negotiations ongoing with owner to submit a planning application within 21 days for a more acceptable canopy.</p>
12.	44 Grange Crescent, Nether Edge, S11 8AY	Unauthorised replacement of windows, roof tiles, guttering, door and repainting of headers, sills and architectural feature	07/02/2011	<p>13/07/2015 – Fined £200, £150 Costs and £20 Surcharge. Letter to be sent giving new deadline to comply with Notice.</p> <p>22/04/2015 – Due in Court for 2nd prosecution in June 2015. 16/01/2015 – Witness statement being prepared for prosecution. 14/10/14 – EN has not been complied with and a final letter to be sent in the next few days and if the EN is not complied with then the matter will be reported for 2nd prosecution. 09/07/13 – letter has been sent asking to comply with EN before 01/09/13. 25/01/13 – prosecuted 19/12/12 pleaded guilty and was fined £30 and £15 costs. Letter to be sent asking to comply with notice.</p>

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13.	166, 223-225, 234, 235, 243-245 and 280 Abbeydale road, S7	Illegal Signs	16/09/2014	13/07/2015 – Property no 280 due in Court in August 2015 and with regards to other properties officers are trying to identify the owners before reporting to prosecution. 16/01/2015 –Occupier details being identified before the matter is reported for prosecution. 14/10/2014 - Writing to owners/occupiers to advice of pending prosecution - locating up to date contact details for each property.
14.	31 Moor Oaks Road, S10 1BX	Unauthorised replacement front door and frame	26/08/2014	13/07/2015 – A replacement door details have been agreed if no progress made to replace door then prosecution file to be prepared. 22/04/2015 – Appeal has been dismissed within compliance period. 16/01/2015 – EN has been served on 14/11/2014 came into effect on the 12/12/2014 and needs to be complied with by 06/03/2015. The appeal against the planning application has been dismissed. – Monitor. 14/10/2014 – EN with legal, due to be served shortly
15.	9 & 11 Moor Oaks Road, S10 1BX	Unauthorised replacement front doors and frames	26/08/2014	13/07/2015 – Prosecution file to be prepared. 22/04/2015 – Planning application appeal has been dismissed,

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				within compliance period. 16/01/2015 – EN has been served. An appeal has been made. 14/10/2014 – 2 EN's with legal, due to be served shortly
16.	20 Glen Road, S7 1RA	Unauthorised replacement driveway	15/07/2014	13/07/2015 – Prosecution file being prepared for prosecution. 22/04/2015 – The owner has assured officers that work will be done in the next few weeks. 16/01/2015 – It has been agreed that works will be carried out by the end of March 2015. 14/10/2014 EN served 23/09/14 takes effect 23/10/14 -
17.	12 & 14 Crookes Road, S10 1GR	Unauthorised replacement roof tiles, fascia and guttering	28/01/2014	13/07/2015 – EN to be served. 22/04/2015 – 16/01/2015 – The owner is not making sufficient progress to carry out the works required, therefore an EN is being prepared and will be served asap. 14/10/2014 Roof replacement underway 23/07/2014 - Works underway – agreed not to serve EN as committed to resolve the issue.
18.	261, 269 & 271-273 Fulwood Road, S10	Unauthorised replacement windows	17/12/2013	13/07/2015 - Appeal has been dismissed still within compliance period. 16/01/2015 – the appeal has been dismissed on 21/01/2015 - 6 Month

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				compliance period. . 06/03/14 - Appealed EN. Appealed refusal 13/02/2014 EN served, appealed under same grounds. Application refused with authority to serve EN
19.	95 Brunswick Street, S10 2FL	Non-compliance with planning conditions	14/03/2014	13/07/2015 – Application has been submitted (15/01608/FUL). 22/04/2015 – The works in relation to the light well has been carried out – a new application to be submitted to vary condition with regards to the landscaping scheme. 16/01/2015 – Work is being carried out to comply with the Notice - Monitor. 22/07/2014 A BCN has been served 16/04/2014 28 days compliance period – a variation of condition application (14/00980/FUL) has been submitted and subsequently approved. Work has started on site.
20.	Land Between 1 To 3 and No 5 And 7 Dover Road S11 8RH	Erection of an Unauthorised wall	11/03/2014	13/07/2015 Still within compliance period (until October 2015) 22/04/2015 – Appeal has been dismissed still within compliance period. 16/01/2015 - Awaiting Planning Inspector decision. 18/07/2014 – Appeal Statements submitted. 1/06/2014 Appeal Lodged. 09.04.2014 – EN served

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21	263 Cemetery Road, S11 8FS	Unauthorised replacement of windows to the front and side of 263 Cemetery Road, S11, facing Grange Crescent Road and Cemetery Road, the erection of a new soil pipe facing Cemetery Road, a new down pipe adjacent to the bay window facing Grange Crescent Road, the replacement of guttering and the erection of roof felt on the ground floor bay windows.	05/11/2013	with 6 month compliance period. 13/07/2015 – Advice from litigation is that as the company is registered in Isle of Man it is outside of the jurisdiction of the Court and prosecution is not possible. A letter to be sent threatening direct action as an alternative to prosecution. 22/04/2015 – Due in Court on the 21/05/2015. 16/01/2015 – Witness statement being prepared for prosecution. 16/06/2014 – Notice has not been complied with, a reminder letter has been sent to the person in control of the property. 14/10/14 – the Notice is still within compliance period. 22/07/14 – The company is not registered in the UK and would be difficult to prosecute if they did not comply with the notice as the notice. Letter to be sent to Companies house informing them that the company is not registered in the UK. 07/04/14 – EN has been served 02/04/14 compliance period 6 months.
22	Whirlow Elms Chase, S11 9RQ	Breach of Condition 3 – relating to the minimum	03/10/2013	13/07/2015 – Legal advice is that we cannot make the owner of the site

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		standard of Code Level for Sustainable Home Level 3 and 15 relating to the removal of the caretakers house before the occupation of the dwellings		<p>remove the former caretaker's outbuilding as there is no strong evidence to suggest that outbuilding was part of the caretaker's house. With regards to the outstanding code 3 conditions, whilst at this stage it cannot be demonstrated that it has been complied with, it is considered unreasonable to pursue further enforcement as energy efficiency measures have been employed and it is not now possible to retrospectively address the issue at reasonable cost. In addition, action would potentially affect the individual householders, therefore recommend NFA.</p> <p>22/04/2015 – Case meeting to be held with Legal Services for advice on alternative action. 16/01/2015 – Condition 3 – The developer is discussing with Planning Officer for an alternative approach to condition. With regards to condition 15 – the main building has been removed but part of the building remains. Legal advice being sought regarding potential prosecution regarding this condition. 14/10/2014 – with regards to</p>

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				Condition 3 - the developer was convicted and fined £750, SCC awarded costs £1000 and surcharge of £75.
23	6 Rosamond Place, S17 4LX	Breach of Condition 2 – Landscaping. Breach of Condition 1 – Completion of Development	20/02/2013	13/07/2015 – Case adjourned again due to owner being away on holiday. Rescheduled for 13th August 2015. 22/04/2015 – Case has been adjourned until June 2015, due to extenuating circumstances. – Monitor. 14/10/2014 – All paperwork with litigation ready for a 2 nd prosecution. 22/07/2014 – Although application determined, No works carried out on site, so matter to be reported for 2 nd prosecution again. 01/05/2014 – 2 nd prosecution held back as the Owner submitted the necessary application. 07/04/2014 – Awaiting a court date for the 2 nd prosecution. 06/01/2014 – Work recommenced on site, so being monitored to ensure that this continues. 31/10/2013 – A new conditions application received but not valid, to ensure compliance with breach of condition 2. Site visited and development not completed therefore prosecution papers being prepared for 2 nd breach of

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				control. 16/10/2013 – Case in Court, found guilty and fined £75 fine, £75 costs and £25 surcharge.
24	Swanky Franks 722A Chesterfield Road	Non-compliance with a planning condition to clad an extraction flue	13/02/2012	13/07/2015 – Reserve BCN to all directors. 22/04/2015 – S330 Notice has not been replied to and the matter to be reported for prosecution for non-compliance of S330 Notice. 16/01/2015 – Letter and S330 Notice has been sent to all Directors. 14/10/2014 – List of all Directors now obtained, new BCN's to be served on all of them. -
25	204 Chippinghouse Road, Nether Edge, S7 1DR	Unauthorised replacement of windows and door within an Article 4 area	13/08/2012	13/07/2015 – The builder is in the process of getting the window replaced and the old door that was removed is to be put back. 16/01/2015 – A reminder letter to be sent asking to replace the ground floor window and door to fully comply with the Notice. 14/10/14 – 1 st floor windows have been replaced as agreed. A further 6 month from April agreed before the ground floor windows and door is replaced. 14/01/14 – The upstairs windows have been manufactured and ready to be installed. 06/11/13 – In discussions with

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				owner and joiner for suitable replacement windows. 12/07/13 – EN was served (21/09/12) and took effect on 26/10/12 – 9 month compliance period (26/07/13). No work commenced on site as yet.
26	7 Greenfield Drive, S8 7SL	Unauthorised signage on display	26/09/2011	13/07/2015 – To be reported for prosecution. 22/04/2015 – A letter to be sent asking to remove sign within 21 days, if not removed then report for prosecution. 16/01/2015 – The Section 330 Notice has not been returned a reminder letter to be sent. 14/10/2014 – Letter and S330 notice to be served.
27	Ball Inn, Mansfield Road, S12 2AG	Unauthorised Hoarding	21/06/2010	13/07/2015 – A DN to be served. 22/04/2015 – S330 Notice has been served awaiting response. 16/01/2015 – Letter and S330 Notice to be served.
28	Old Whitelow Farm, Old Whitelow Lane, S17 3AG	Re-construction of a demolished redundant farm building	30/07/2008	13/07/2015 – Planning applications to be determined 22/04/2015 – New application (15/00564/FUL) has been submitted, await outcome before any further action is to be taken. 28/01/2015 – EN to be served. 15/10/2014 – Awaiting legal interpretation of legislation to ascertain whether the works are now immune from action due to

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				the four year rule or whether a second bite provision can be applied to this case.
29	Norfolk Arms Public House, Ringinglow Village, S11 7TS	Unauthorised fume extraction and Lighting Columns.	19/05/2008 & 21/09/2009	13/07/2015 – New photographs to be taken and then statement to be done for prosecution. 14/10/2014 –Reminder letter to be sent asking him to comply with notice within 28 days. If no response then prosecution file to be prepared.

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