

DEVELOPMENT SERVICES

REPORT TO CITY CENTRE,
SOUTH & EAST
PLANNING AND HIGHWAYS
AREA COMMITTEE
25 FEBRUARY 2013

ENFORCEMENT REPORT

UNAUTHORISED FIRST FLOOR INFILL SIDE EXTENSION, 17 AND 19 WOSTENHOLM ROAD

1. PURPOSE OF THE REPORT

The purpose of this report is to inform committee Members of a breach of advertisement control and to make representations on any further action required

2. LOCATION

2.1 The houses are located at the north end of Wostenholm Road close to the junction with Sharrow Lane. There is a mix of housing types at this section of Wostenholm Road. Nos.17 & 19 are in a row of eight semi detached houses, numbered 7-21 Wostenholm Road. Nos.15 and 17 are attached to each other forming one of the blocks of semis and 19 & 21 form the adjacent semis. There is a gap of approximately 2m between 17 and 19, which had previously been used as a driveway to a garage at the rear. See Appendix B for original street scene.

2.2 To the south of nos.7-21 lie two blocks of flats, (Kenwood Chase and Ventnor Court), followed by large detached and semi detached villas. These villas fall within the Nether Edge Conservation Area. Directly opposite the site are similar style villas which also fall within the conservation area. The semi detached houses at nos.7-21 and the flats are excluded from the Conservation Area, (see Conservation Area Appendix C).

2.3 The adjoined properties of nos. 15 & 17 do not align with properties 19 & 21. Number 17 sits further forward and the roofline is slightly higher.

3. BACKGROUND

3.1 A wooden first floor timber infill extension between nos.17 and 19 was reported to Building Control by a member of the public and forwarded to Planning Enforcement on 17th October 2012. On investigation, the development also included the timber frameworks for a ground floor extension at the rear and for a ground floor extension forward of the front elevation; see Site Plan attached.

- 3.2 The timber infill at first floor level appears to create a pitched roof between the two properties and the façade indicates a first floor window is to be added which roughly aligns with the bottom of the first floor window of the two properties.
- 3.3 The first correspondence to the owner was sent on the 24th October 2012. This advised that the development had not sought the necessary planning permission and advised the owners to contact a planning officer to discuss submitting an acceptable planning application. It stated that the development was not acceptable in its existing form and it advised that no further construction should take place. They were asked to contact the officer within 7 days.
- 3.4 A family relation of the owner arranged a site meeting with an enforcement officer on the 31 October 2012. The meeting was with the tenant at 19 Wostenholm Road. The tenant, responsible for the development confirmed the development is to create extra living space between the two properties. In addition to the first floor infill, they intended to create a large porch across the front elevation encompassing both bay windows.
- 3.5 The tenant agreed to stop work and agreed to arrange an appointment with a Planning Officer to discuss alternative plans showing a scheme set further back from the front elevation.
- 3.6 In spite of a reminder letter and a further site visit on 10/1/13 there has been no action to remedy the breach of control despite assurances from the owner to the contrary.

4. ASSESSMENT

- 4.1 The extension is not 'permitted development' as defined in the Town & Country Planning (General Permitted Development)(Amendment), Order 2008 as part of the development extends beyond a wall fronting a highway and it is within 2 metres of a boundary and over 3 metres in height.
- 4.2 The extension creates a terracing effect within a uniform row of semi-detached Victorian properties in a prominent location on the main route through Nether Edge. Furthermore, the design and prominence of the extension does not respect the character of the existing buildings. In particular, the simple dual-pitch roofline is broken by a front gable feature.
- 4.3 The poor design is detrimental to the character of the property, the street scene and the setting of the adjoining Nether Edge Conservation Area, which lies immediately opposite the site. A smaller extension set well back from the front elevation may be capable of being satisfactorily accommodated subject to appropriate design quality and sympathetic materials.

4.4 In view of the above, the unauthorised development is contrary to the Sheffield Unitary Development Plan, (UDP), policies BE5, Building Design and Siting) and policy H14, Conditions on Development in Housing Areas and contrary to the Sheffield Development Framework, Core Strategy Policy CS74, Design Principles. The development is also contrary to the principles of UDP policy BE16, Development in Conservation Areas, which is a material consideration where proposals affect the setting of a Conservation Area.

5. REPRESENTATIONS

5.1 A complaint was received by the Council's Building Standards Service, which in turn shared the information with the Planning Service. Two other enquiries from residents of Nether Edge were made but they did not wish to make a formal complaint. Councillor Mohammed Mahroof has also contacted the planning service and is being updated with developments.

6. ENFORCEMENT OPTIONS

6.1 Section 172 of the Town and Country Planning Act provides for the service of an Enforcement Notice. In this case such a notice would require the removal of the unauthorised extension.

6.2 Section 183 of the Town and Country Planning Act 1990, enables the local planning authority to serve a Stop Notice with the service of an Enforcement Notice. A stop notice, (SN), prohibits the carrying out of a relevant activity on the enforcement notice land. The situation at site is stable in that no further works have taken place since initial contact with the owners and tenants in October 2012. An SN is not considered to be necessary at this time.

7 EQUAL OPPORTUNITIES

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

8. FINANCIAL IMPLICATIONS

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

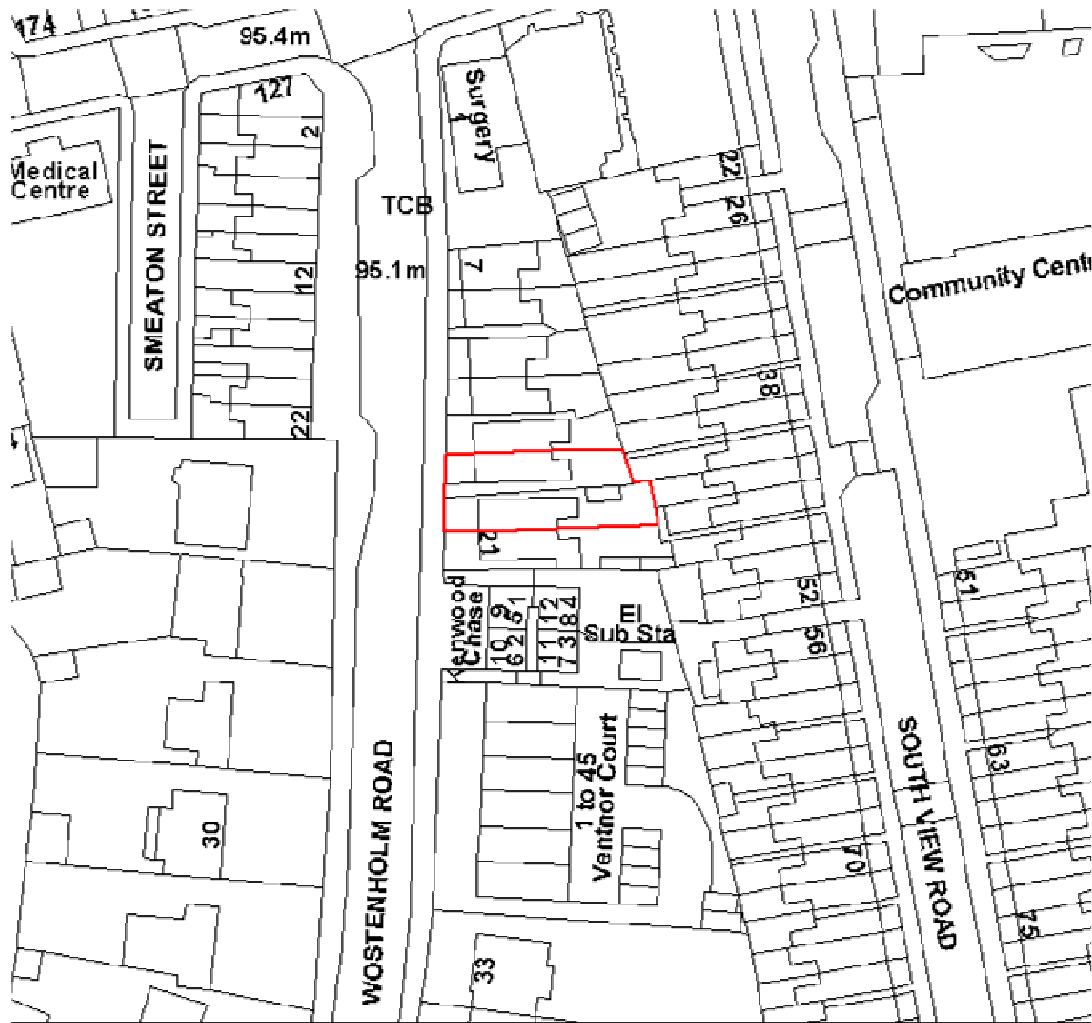
9. RECOMMENDATION

9.1 That the Director of 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 side extension between 17 and 19 Wostenholm Road.

- 9.2 The Head of Planning is designated 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

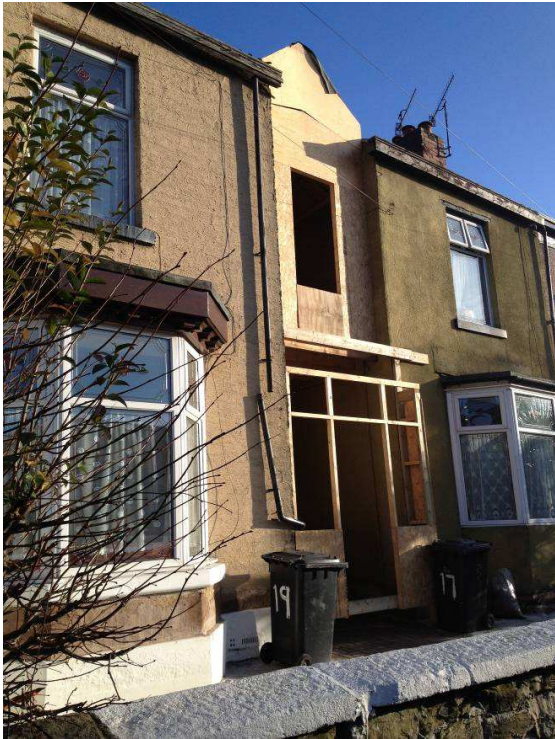
17 and 19 Wostenholm Road



David Caulfield
Head of Planning

7 February 2013

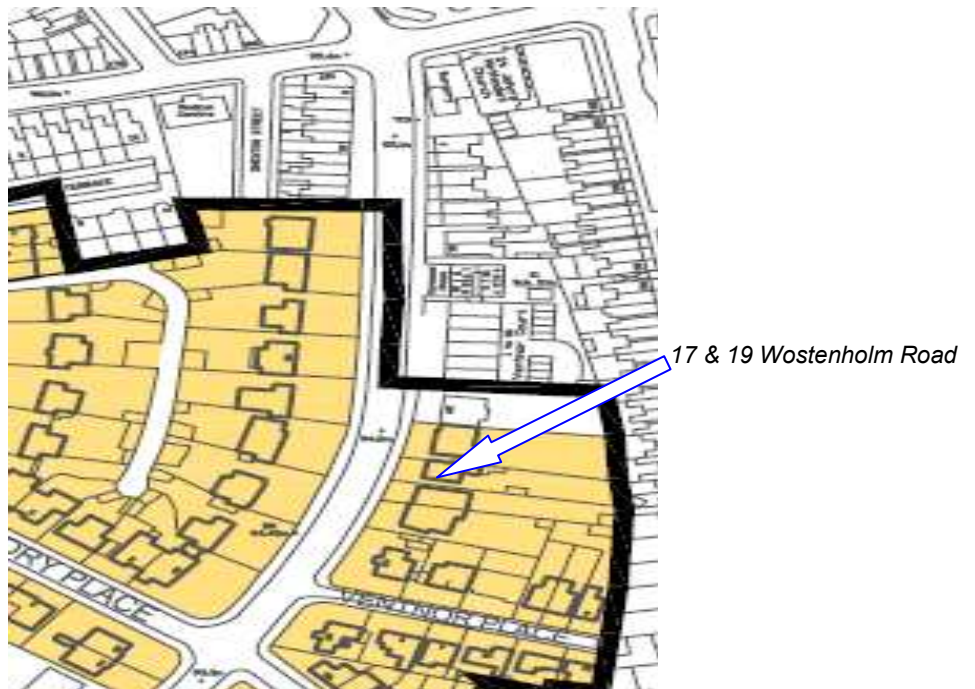
Appendix A : Photos of the Unauthorised Development



Appendix B : Original Street Scene
(arrow indicates position of unauthorised extension)



Appendix C : Nether Edge Conservation Area



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