

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.	Wash 4 You, 90 - 92 Bramall Lane, S2 4QZ	Breach of condition	13/02/2014	28/01/2015 – A BCN has been served and has not been complied with. The owner has submitted application (14/03597/FUL) for use of site as mixed use development which has been granted. In discussions with owners to ascertain when work will start on site.
2.	13 College Street, S10 2PH	Unauthorised replacement of roof tiles within an Article 4	11/04/2014	20/01/2015 – The time period for compliance has expired and reminder

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		Area		letter to be sent.
3.	Plot 5 Long Acres, 73 Newfield Lane	Non-payment of S106 money, total of £1,019.70 to be used towards provision/enhancement of open space	20/12/2014	16/01/2015 – This outstanding sum is a “top up” to a previous (paid) contribution. The remaining figure is too low to effectively pursue, and the properties have been sold by the developer. It is therefore recommended that NFA is taken towards securing the payment. - NFA
4.	Vestry Hall 80 Crookesmoor Road Sheffield S6 3FR	Untidy Grade 2 Listed building	16/10/2014	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.
5.	245 Ecclesall Road Sheffield S11 8JE	Breach of opening hours	25/10/2014	19/01/2015 – A BCN has been served, the Notice is not being complied with. Witness statements being done for prosecution.
6.	Land At Crookes Road And Taptonville Road, Crookes Road S10 5BR	Breach of Condition - Tree protective fencing has not been erected as required.	23/12/2014	20/01/2015 – A BCN is being drafted and will be served shortly.
7.	140-142 Abbeydale Road, S7 1FF	Unauthorised canopy	16/09/2014	16/01/2015 – EN has been served on 30/10/2014 and needs to be complied with by 19/03/2015.

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8.	755-757 Abbeydale Road, S2 7BG	Unauthorised canopy	16/09/2014	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.
9.	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	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 2 nd 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.
10.	166, 223-225, 234, 235, 243-245 and 280 Abbeydale road, S7	Illegal Signs	16/09/2014	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

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				details for each property.
11.	31 Moor Oaks Road, S10 1BX	Unauthorised replacement front door and frame	26/08/2014	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
12.	9 & 11 Moor Oaks Road, S10 1BX	Unauthorised replacement front doors and frames	26/08/2014	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
13.	20 Glen Road, S7 1RA	Unauthorised replacement driveway	15/07/2014	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 -
14.	12 & 14 Crookes Road, S10 1GR	Unauthorised replacement roof tiles, fascia and guttering	28/01/2014	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 shortly. 14/10/2014 Roof replacement underway 23/07/2014 - Works underway – agreed not to serve EN as committed to resolve the issue.
15.	261, 269 & 271-273	Unauthorised replacement	17/12/2013	16/01/2015 – the appeal has been

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	Fulwood Road, S10	windows		dismissed on 21/01/2015 - 6 Month 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
16.	95 Brunswick Street, S10 2FL	Non-compliance with planning conditions	14/03/2014	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.
17.	Land Between 1 To 3 and No 5 And 7 Dover Road S11 8RH	Erection of an Unauthorised wall	11/03/2014	16/01/2015 - Awaiting Planning Inspector decision. 18/07/2014 – Appeal Statements submitted. 1/06/2014 Appeal Lodged. 09.04.2014 – EN served with 6 month compliance period.
18	79 Dore Road, S17 3ND	Unauthorised Hoarding	24/09/2013	16/01/2015 – The signs have been removed – NFA. 14/10/2014 – Awaiting prosecution. 23/07/14 Appeal dismissed – final time limit given on 09/07 allowing 14 days – prosecution pending. 7/04/14 – Appeal in progress. 14/01/2014- awaiting

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				outcome of appeal before prosecution 1/10/2013 – Notice being prepared.
19	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	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.
20	Whirlow Elms Chase, S11 9RQ	Use of land as a builder storage compound	21/05/2013	30/02/2015 – the compound has been removed and the use has stopped - NFA
21	Whirlow Elms Chase, S11 9RQ	Breach of Condition 3 – relating to the minimum 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	03/10/2013	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

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				<p>prosecution regarding this condition. 14/10/2014 – with regards to Condition 3 - the developer was convicted and fined £750, SCC awarded costs £1000 and surcharge of £75.</p>
22	6 Rosamond Place, S17 4LX	<p>Breach of Condition 2 – Landscaping.</p> <p>Breach of Condition 1 – Completion of Development</p>	20/02/2013	<p>16/01/2015 – Case has been adjourned until June 2015, due to extenuating circumstances. – Monitor. 14/10/2014 – All paperwork with litigation ready for a 2nd prosecution. 22/07/2014 – Although application determined, No works carried out on site, so matter to be reported for 2nd prosecution again. 01/05/2014 – 2nd prosecution held back as the Owner submitted the necessary application. 07/04/2014 – Awaiting a court date for the 2nd 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 2nd breach of control. 16/10/2013 – Case in Court, found</p>

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				guilty and fined £75 fine, £75 costs and £25 surcharge.
23	Swanky Franks 722A Chesterfield Road	Non-compliance with a planning condition to clad an extraction flue	13/02/2012	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. -
24	204 Chippinghouse Road, Nether Edge, S7 1DR	Unauthorised replacement of windows and door within an Article 4 area	13/08/2012	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 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.
25	7 Greenfield Drive, S8 7SL	Unauthorised signage on display	26/09/2011	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.

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26	Ball Inn, Mansfield Road, S12 2AG	Unauthorised Hoarding	21/06/2010	16/01/2015 – Letter and S330 Notice to be served.
27	Oasis Pizza, 204 Whitham Road, Broomhill, S10 2SS	Non-compliance with approved hours (98/00186/FUL)	02/06/2010	16/01/2015 – Planning permission (14/0328/FUL) has been granted for new opening hours due to 1st floor flat being used for storage use and under the control of the ground floor takeaway user. New hours are 00:30 on any day. – NFA. 14/10/2014 – new application for extended hours of operation appears elsewhere on this agenda. 13/03/14 – Owner prosecuted (3 rd such prosecution since July 2011) & found guilty & fined £125 for each of two offences prosecuted (total inc costs = £425 to be paid in instalments of £20 per week).
28	Old Whitelow Farm, Old Whitelow Lane, S17 3AG	Re-construction of a demolished redundant farm building	30/07/2008	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 the four year rule or whether a second bite provision can be applied to this case.

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29	Norfolk Arms Public House, Ringinglow Village, S11 7TS	Unauthorised fume extraction and Lighting Columns.	19/05/2008 & 21/09/2009	16/01/2015 – Witness statement being prepared 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.