



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Head of Planning

Date: 9 August 2016

Subject: Enforcement Report;
The Crown Inn, Hillfoot Road
Sheffield S17 3AX

Author of Report: Jonathan Baker

Summary: UNAUTHORISED USE OF GREEN BELT LAND,
AT THE REAR OF THE CROWN INN, HILLFOOT
ROAD, TOTLEY, SHEFFIELD

Reasons for Recommendations:

To inform committee members of a breach of the Planning Regulations and to make recommendations on any further action required.

Recommendations:

That the Head of Planning be authorised to take any appropriate action including, if necessary, enforcement action and the institution of legal proceedings to secure the cessation of the use, the removal of all fixtures, fittings and furniture and the re-instatement of the hedge to prevent further encroachment onto the Green Belt.

The Head of Planning is delegated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

UNAUTHORISED USE OF GREEN BELT LAND, AT THE REAR OF
THE CROWN INN, HILLFOOT ROAD, TOTLEY, SHEFFIELD S17 3AX

1. PURPOSE OF THE REPORT

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

2. BACKGROUND

- 2.1 The Planning Service received a complaint about a section of hedgerow being removed behind the public house and a large section of the natural vegetation was mown to allow tables and chairs to be placed on the adjacent field. The complaint was concerned with preparation of land within the Green Belt for use as a beer garden, which would spoil this part of the countryside.
- 2.2 The landlord of the Crown Inn had carried out the work himself and a visit to the site showed that a large section of hedgerow had been removed to allow 8 large, wooden outdoor pub tables with attached benches to be placed in the field, along with some children's play items. A large section of the field containing these items had been mown.
- 2.3 Following a discussion with a senior planning officer and the Area Team Leader, a letter was sent to both the landlord and the owners of the public house and land requesting that all fixtures, fittings and furniture be removed from the field and the hedgerow restored to how it was previously. The letter also stated that the use was unacceptable within the Green Belt.
- 2.4 A Temporary Stop Notice was served on the land to prevent further unauthorised use for a period of 28 days. This was served personally on the landlord and by recorded delivery to the land owners.
- 2.5 Before the 28 day period had lapsed, the landlord breached the notice by allowing a large marquee to be placed on the land for the purposes of holding a wedding reception. The landlord had applied to Licencing for an events notice a few days prior to the event taking place, in full knowledge that he would be breaching the Temporary Stop Notice.

2.6 The Crown are also advertising on their Facebook page, an event for August Bank Holiday, which will more than likely take place on the field, involving live music , bouncy castles and a barbeque.

3. ASSESSMENT OF THE BREACHES OF CONTROL

3.1 This land is designated within the Green Belt in the adopted Sheffield Unitary Development Plan, (UDP). Policy GE1 states (amongst other things) that in the Green Belt, development will not be permitted, except in very special circumstances, where, it would lead to unrestricted growth of the built up area or encroachment of urban development into the countryside. Policies GE2 and GE4 seek to maintain, conserve and enhance the landscape and natural environment.

3.2 This use is considered to constitute unrestricted urban growth and encroachment into the open countryside contrary to the above policies, which is endorsed by the adopted Core Strategy Policy CS71. The land, whether part of a separate open field or whether attached in the past, is considered to be part of the countryside, beyond the urban area. If the development was to be completed into a formal beer garden, it could likely involve further urban features such as means of enclosure, lighting etc, which would further harm the landscape and natural environment.

4. REPRESENTATIONS

4.1 One complaint has been received, which was concerned that the use would spoil the peace and tranquillity of the area and cause physical damage to the Green Belt.

5. ASSESSMENT OF ENFORCEMENT OPTIONS

5.1 Section 172 of the Act provides for the service of an enforcement notice, (EN). In this case such a notice would require the cessation of the use, the removal of all fixtures, fittings and furniture and the re-instatement of the hedge to prevent further encroachment onto the Green Belt, allowing the field to re-generate back to its previous natural state.

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 use should it re-start.

6. EQUAL OPPORTUNITIES

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

7. FINANCIAL IMPLICATIONS

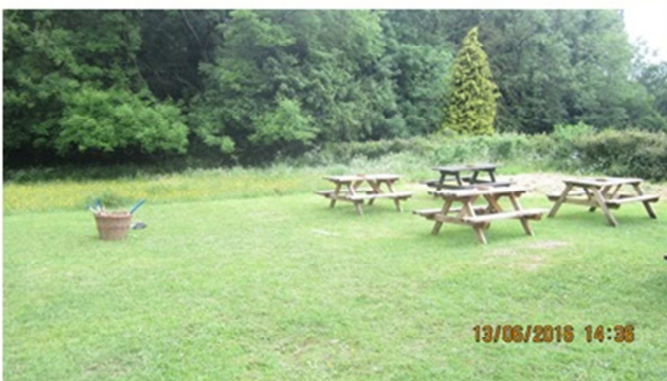
7.1 There are no financial implications arising from the recommendations in this report.

8. RECOMMENDATION

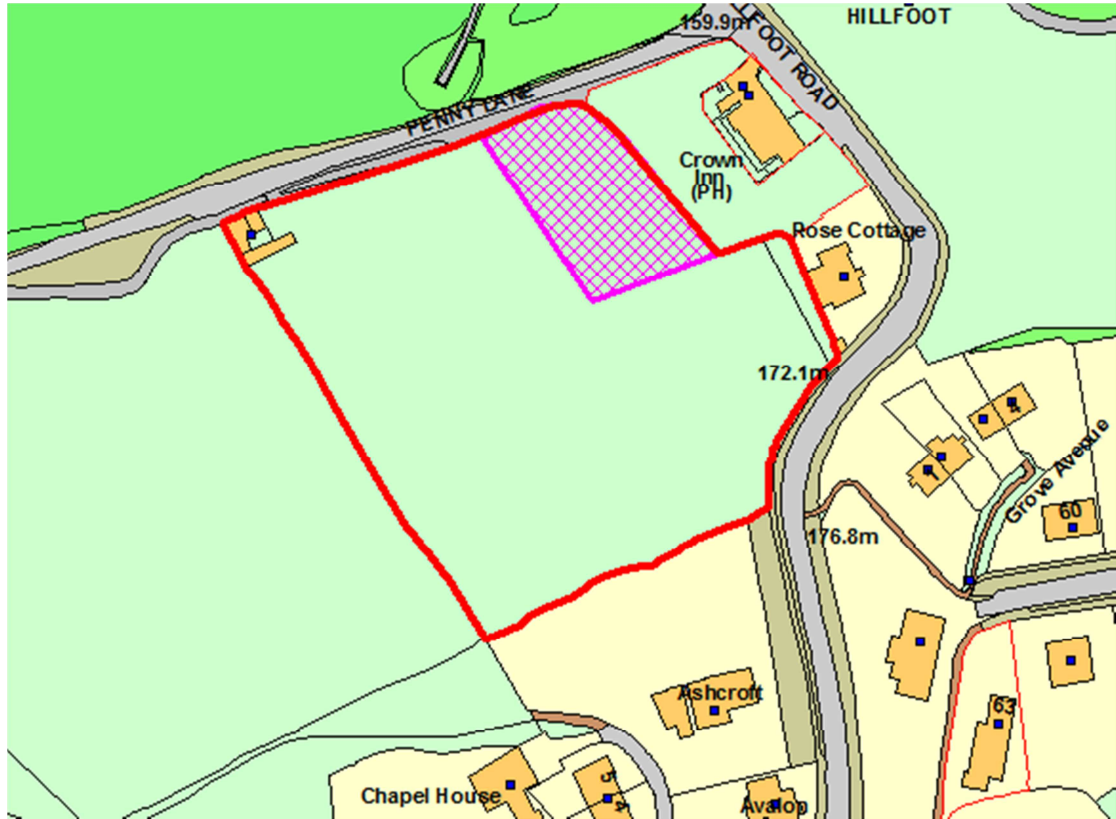
8.1 That the Head of Planning be authorised to take any appropriate action including if necessary, enforcement action and the institution of legal proceedings to secure the cessation of the use, the removal of all fixtures, fittings and furniture and the re-instatement of the hedge to prevent further encroachment onto the Green Belt.

8.2 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.

Photos of tables in field:



Plan: Pink hatched area represents the area where the unauthorised use has taken place. The red line boundary represents the whole area that would be covered by the enforcement notice.



Mike Hayden-
Head of Planning

August 2016

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