



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Interim Head of Planning

Date: 1 November 2016

Subject: Overview of enforcement activity

Author of Report: Khalid Mahmood

Summary: To inform members of the planning enforcement work being carried out in addition to the formal cases on the 6 monthly update report and to give an overview of the overall quality of the service provided by planning enforcement.

Reasons for Recommendations:

The purpose of this report is to give Committee Members an overview of planning enforcement work being carried out and the quality of service provided across the City.

Recommendations:

That members note the report.

Background Papers:

Category of Report: OPEN

1 NOVEMBER 2016

OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the six-monthly report to inform members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1st April 2016 to 30th September 2016.

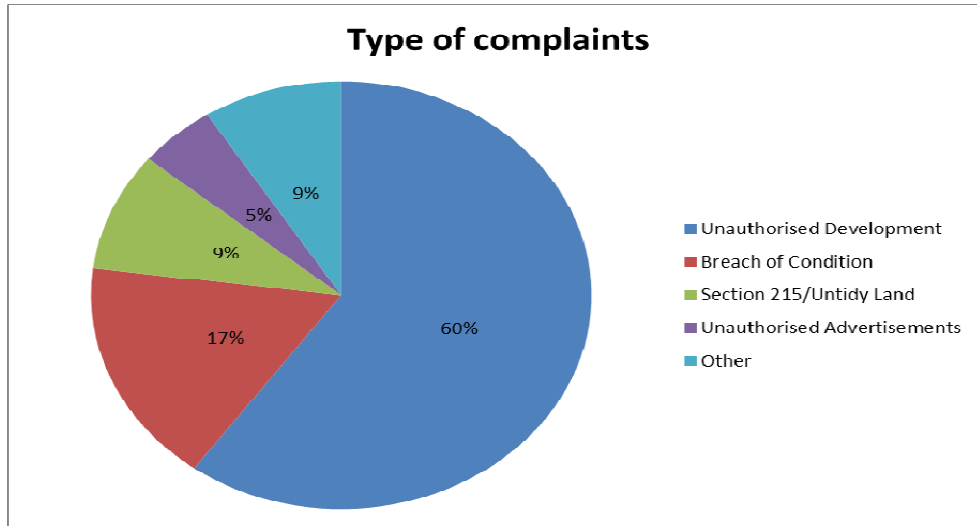
2. ACTIVITY DURING THE PERIOD

- 2.1 The National Planning Policy Framework (NPPF) is encouraging Councils to publish a Local Planning Enforcement Plan; this is to ensure that planning enforcement remains clear, transparent and accountable. The Enforcement Plan has been drafted and it sets out priorities which take into consideration local circumstances and provide certainty for all involved in the development process. The plan sets out how Sheffield City Council will approach alleged cases of unauthorised development, including what and how it will investigate and when it is appropriate to take enforcement action. The Enforcement plan is now open for consultation until the 16 November 2016.
- 2.2 It is important to prioritise enforcement action according to the level of harm caused by the unauthorised development and in some cases a quick and efficient action can lead to a quick and satisfactory result as in the following case. A number of complaints were received from local residents on the morning of 7 September regarding the installation of cladding at the former Place pub on Nile Street in Broomhill. A subsequent site visit was carried out on the same morning and it was determined that the cladding was in the process of being erected without planning permission although there was an application pending consideration. As the works were in the process of being carried out a planning assessment was carried out and it was determined that the timber cladding was unacceptable and had to be removed. The owner of the site was informed of this and was also warned that if the work did not stop immediately then a Temporary Stop Notice (TSN) would be served. A TSN was drafted as a matter of urgency and when officers went to serve the Notice on that same day the cladding had been removed and the breach had been rectified. In this case, the complaint to the planning enforcement team was dealt with in an efficient and

professional manner that has enabled the breach to be rectified within a day.

3 SCALE OF INVESTIGATIONS, INCLUDING MONITORING AND ENFORCEMENT

3.1



3.2 A total of 271 complaints were received and 278 cases have been closed in the last 6 months of which 41% have been remedied or made acceptable. There are currently 545 live cases. Performance has fallen short of the Service target of 60% for cases closed within 6 months due to a combination of staff resourcing issues including the loss of one member of staff arising from budget pressures and a long term sickness absence.

3.3 The table below shows the number of complaints received in the last year 2015/16 and the previous year 2014/15:-

Year 1 st Oct 2014 – 30 th Sept 2015	Year 1 st Oct 2015 – 30 th Sept 2016
598	578

4 WILLINGNESS TO TAKE STRONG ACTION

4.1 The table below shows the number of formal Notices served and prosecutions carried out within the last year 2015/16 and the previous year 2014/15 to show trends: -

Notice type	Year 1 st Oct 2014 to 30 th Sept 2015	Year 1 st Oct 2015 to 30 th Sept 2016
Breach of Conditions	17	8
Discontinuance (adverts)	11	0

Enforcement	19	16
Stop	0	0
Temporary Stop	2	1
Section 215 (untidy land)	23	7
Section 225 (signs)	23	3
Total Notices Served	95	35
Prosecutions	9	14

- 4.2 The table below shows the number of formal Notices served and prosecutions carried out within this period and the previous three quarters to show trends: -

Notice type	Quarter 3 1 st Oct – 31 st Dec 2015	Quarter 4 1 st Jan – 31 st Mar 2015	Quarter 1 1 st Apr – 30 th Jun 2016	Quarter 2 1 st Jul – 30 th Sep 2016
Breach of Conditions	4	3	1	0
Discontinuance (adverts)	0	0	0	0
Enforcement	3	3	5	5
Stop	0	0	0	0
Temporary Stop	0	0	1	0
Section 215 (untidy land)	1	3	0	0
Section 225 (signs)	2	0	1	0
Total Notices Served	10	9	8	5
Prosecutions	7	3	2	2

- 4.3 The number of formal Notices that have been served in the last 12 months has decreased due to less S225 Notices being served in relation to illegal signs. The number of prosecutions has increased. The number of Enforcement Notices served in the last 6 months has remained consistent. However, the number of Breach of Condition Notices served has decreased in the last 6 months, this has been mainly due to the number of cases relating to breach of conditions dropping to 47 cases received in the last 6 months compared to 105 cases in the previous 6 months.

5. CONCLUSION

- 5.1 Due to issues relating to staffing and resources the six month service target has not been met; number of Notices served and prosecutions have remained fairly consistent.

6. RECOMMENDATION

- 6.1 This report is for noting