



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Interim Head of Planning

Date: 1 November 2016

Subject: Enforcement Report

Author of Report: Khalid Mahmood

Summary: Progress report on enforcement actions authorised by committee in the City.

Reasons for Recommendations:

The purpose of this report is to inform Committee members of progress on current enforcement cases in City.

Recommendations:

That members note the current progress on actions

Background Papers:

Category of Report: OPEN

UPDATE ON LIVE ENFORCEMENT CASES WHICH HAVE BEEN GRANTED AUTHORITY BY MEMBERS

Report abbreviations

PP	Planning Permission	EN	Enforcement Notice
PD	Permitted Development	PCN	Planning Contravention Notice
BCN	Breach of Condition Notice	S330	Notice under Section 330 of the Act requiring details of interest in land
S215	Notice under Section 215 of the Act – Land adversely affecting amenity of neighbourhood.	S225	Notice under section 225 of the Act requiring removal of illegally displayed placards or posters
TSN	Temporary Stop Notice		

ITEMS IN BOLD TYPE INDICATE CHANGES SINCE LAST REPORT

CITY CENTRE & EAST AREA

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
1.	Land at Kettlebridge Road, S9	Non-payment of planning obligation monies, £68,893. Planning application 02/03267/FUL. Development Complete	20/12/2010	15.8.16 – No requirement to pursue payment. In light of the Council being unable to proceed with the originally intended highway improvement works to the junction of Woodbourn Road and Parkway Avenue it is recommended that the outstanding monies be written off. (LB)
2.	142 Devonshire Street, S3	Unauthorized signs and the repainting of the shop front	09/08/2016	17/10/2016 – Statement being done for prosecution. (15/00068/ENLBD – FS)

3.	126 Birley Spa Lane Sheffield S12 4EJ	Unauthorised flue, and shipping container, and prevent the unauthorised use as a Fast Food Takeaway.	09/08/2016	17/10/2016 – EN is being drafted and will be served shortly. (16/00314/ENUD- FS)
4.	Land adjacent to Finestra Systems Ltd, Old Lane, Halfway, S20	Planning application (15/04500/FUL) refused with enforcement action - Erection of a warehouse-storage unit	17/05/2016	17/10/2016 – the owner’s agent is to submit a planning application for an alternative proposal. (16/00281/ENUD – FS)
5.	15 Westfield Terrace, S1	Signage	17/05/2016	17/10/2016 – Statement to be done for prosecution. (16/00110/ENLBD – FS)
6.	25 Moor Valley, S20	Unauthorised fence	26/04/2016	17/10/2016 – EN has been served on 23/06/2016 and took effect on the 28/07/2016 with a 16 week compliance period. 03/05/2016 – A letter to be sent before EN is served. (15/00242/ENBC – FS)
7.	38 Sandy Acres Close, S20	Log cabin in rear garden	15/03/2016	17/10/2016 – EN is being drafted and will be served shortly. 03/05/2013 – The refusal of planning permission has been appealed against (16/00263/FUL). EN to be drafted and will be served shortly. (15/00626/ENUHD – FS)
8.	3 & 5 Nursery Street, S3	Illegal signage and storage of materials outside the shop	15/03/2016	17/10/2016 – The case has been reported for prosecution, further investigations to be carried out to determine the owner before a summons is served. 03/05/2016 – Working with the occupier to achieve a more acceptable scheme for the signs, the materials stored outside are considered low key and the occupier has been asked to submit a variation of condition application. (15/00340/ENOA – FS)

9.	46 Paddock Crescent, S2	Tree House	15/03/2016	17/10/2016 – EN has been served on the 3/06/2016 and took effect on the 06/07/2016 with a 16 week compliance period. 03/05/2016 – EN being drafted and will be served shortly. (14/00317/ENUHD – FS)
10.	87 High Street, S20	Flue	15/03/2016	17/10/2016 – EN is being drafted and will be served shortly. (14/00128/ENUD – FS)
11.	43 Moorthorpe Rise, S20	Encroachment of garden into buffer strip	22/12/2015	17/10/2016 – Most of the work has been done. Site visit to be done to confirm that work has been completed as required. 03/05/2016 – Work has started on site and will be completed within the next few weeks – Monitor. 08/02/2016 – EN has been served on 20/01/2016 and took effect on the 20/01/2016 and needs to be complied with by 22/04/2016. (15/00532/ENCHU – JB)
12.	Former South Yorkshire Police Station, Rotherham Road North, S20	Erection of a fence	19/01/2016	17/10/2016 – A hoarding has been erected on site as a prelude to development commencing on the approved housing scheme and therefore the fence is now permitted development. NFA. 03/05/2016 – The owner has stated that hoardings will be erected to the fence so that it will now be permitted under class 8 of the advertisement regulations (construction site) - MONITOR. 08/02/2016 – land Registry search being carried out before EN is served. (15/00279/ENUD – KM)

13.	261 Staniforth Road, S9	Erection of Marquee	01/12/2015	17/10/2016 – Statement to be prepared for prosecution. 03/05/2016 - EN has been served on 22/12/2015 and took effect on 26/01/2016 compliance by 17/05/2016. (14/00017/ENUD – LB)
14.	138 West Street, S1	Fascia signs	29/09/2015	17/10/2016 – Application (16/02272/ADV) has been submitted and is pending consideration. 03/05/2016 – An application for an alternative proposal to be submitted in the next few weeks. 08/02/2015 – the signage has not been removed within the time period given, a prosecution file being prepared. 20/10/2015 – Letter has been sent asking to remove sign. (13/00500/ENOA – KM)
15.	55 Bawtry Road S9	External wall insulation	24/06/2014	17/10/2016 – Works have begun to comply with Notice – Monitor. 08/02/2016 – An extension of time has been given to resolve the issue until 01/02/2016, No work has been done – chasing progress, if no progress then that matter will be reported for prosecution. 20/10/2015 – Within compliance period. 08/07/2015 - An EN has been served on 25/06/2015 comes into effect on 27/07/2015 unless appeal is made and needs to be complied by 27/11/2015. (15/00058/ENBC – LB)

16.	24 Dundas Road, S9	External wall insulation	24/06/2014	17/10/2016 – Works has begun to comply with Notice – Monitor. 08/02/2015 – The EN has not been complied reminder letter to be sent. 20/10/2015 – Within compliance period. 08/07/2015 – An EN has been served on 25/06/2015 comes into effect on 27/07/2015 unless appeal is made and needs to be complied by 27/11/2015. (15/00059/ENBC – LB)
17.	1 Blackmore Street, S4	Re-roofing of a listed building	16/06/2015	17/10/2016 – The appeal has been dismissed and the owner has been given 26 weeks to comply with the EN from 28/06/2016. 03/05/2016 – The EN has been appealed against and is being considered by the Planning Inspectorate. 20/10/2015 – EN has been served and an appeal has been made. 08/07/2015 – Details have been sent to legal and admin to serve an EN (14/00207/ENUD – FS)
18.	Woodhouse Spice, 14 Market Square, S13	Unauthorised signs on a listed building	26/05/2015	17/10/2016 – The owners have been prosecuted conditional discharge with costs. (14/00019/ENOA – FS)
19.	20 Dovercourt Road, S2 1UA	Untidy front and rear garden	20/11/2014	17/05/2016 – Some work has been done to tidy the site since the original successful prosecution in 2015 – monitor. (13/00084/ENS215 – FS)

20.	33 Pavilion Way, S5 6ED	Unauthorised single storey side and rear extension	09/12/2014	<p>17/10/2016 – Part of the extension has been demolished a reminder letter has been sent asking when the works will be completed. 03/05/2016 – Work to begin in the next 2 weeks to remove extension and replace it with an extension what would be PD - Monitor. 08/02/2016 – Serious defects with extension have made it impossible to comply with building regulations, therefore PP cannot be implemented. Alternative extension now PD and has building regulation approval. The existing extension to be demolished in the next few weeks. 20/10/2015 – Work has not started yet reminder letter to be sent. 08/07/2015 – Appeal against the planning application has been allowed conditionally – Condition requires plastic to be replaced by brickwork within 6 months – Deadline 16/10/2015 - Monitor 20/04/2015 – The planning application was refused on 17/03/2015 and an appeal has been lodged on the 01/04/2015. 19/01/2015 – Application (15/00183/FUL) has been submitted on 15/01/2015 for retention and alterations to design and materials, and is in the process of being logged on the system. (16/00121/ENBC – LB)</p>
21.	42 Dundas Road, Tinsley, S9 1SY	Unauthorised external flue	15/10/13	<p>17/10/2016 – Still awaiting Police to execute the warrant. 07/04/14 - EN has been served 3/01/14 comes into effect 07/02/14 and required compliance by 02/05/14. (13/00039/ENUD – LB)</p>

22.	484 Staniforth Road, Darnall, S9 3FW	Unauthorised roof extension	25/01/2010	<p>17/10/2016 – The owner was found guilty for the 2nd time and was fined £140.00 with £260 costs. A letter has been sent asking for the EN to be complied with – no response received therefore the matter will now be reported for 3rd prosecution. 03/05/2016 – Court hearing on the 9/03/2016 and was subsequently adjourned until 12/05/2016. 08/02/2016 – prosecution file with litigation waiting for court date. 20/10/2015 – 2nd prosecution statements being done. 08/07/11-Fined £200+100 costs, reminder to be sent to comply with EN. 20/01/2011 (10/00384/ENUD – LB)</p>
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SOUTH AREA

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION	CURRENT SITUATION
1.	The Crown Inn Hillfoot Road, Totley,S17 3AX	Unauthorised use of green belt land at the rear of the Crown Inn as a beer garden.	09/08/2016	17/10/2016 – Various discussions have taken place with the landlord and Licensing Officers and an application is to be submitted for the Councils consideration. With regards to the non-compliance with the TSN this matter has been reported for prosecution. (16/00246/ENCHU – JB)
2.	13 College Street, S10 2PH	Planning permission (16/02068/FUL) refused with enforcement action for the retention of Service meter boxes on the front elevation of the property	09/08/2016	17/10/2016 – In discussion with owners to get the meter boxes relocated to an alternative more acceptable location. (14/00445/ENART4 – AW)
3.	Unit B, Old Station Drive, S7 2PY	unauthorised fence	28/06/2016	17/10/2016 – EN is being prepared and will be served shortly. (12/00772/ENUD - AW)
4.	3 Nether Edge Road, S7	Canopy	23/02/2016	17/10/2016 – EN has been served on 23/06/2016 and took effect on 10/07/2016 needs to be complied by 10/01/2017. 03/05/2016 – The owner has submitted an alternative scheme for the Councils consideration, which is under consideration. However, EN has been drafted and will be served shortly (13/00634/ENUD – LB)
5.	Broomhill Property Shop, 319 Glossop Road, S10	A fascia sign has been erected on a listed building without consent	10/11/2015	17/10/2016 – A letter to be sent asking to remove the signage with a reasonable time period.

				(15/00087/ENLBD – AW)
6.	3 Crescent Road, S7	An erection of a tree house	22/12/2015	17/10/2016 – The amended scheme application (16/01545/FUL) has been refused – A reminder letter to be sent, before EN is served. 03/05/2016 - The owner is to submit an alternative proposal for the Council's consideration. 08/02/2016 – Planning application (15/03806/FUL) has been refused and letter to be sent that an EN will be served if the tree house is not removed. (15/00256/ENUHD – AW)
7.	259 Abbeydale Road, S7	Unauthorised erection of digital signage		17/10/2016 – An application (16/00914/ADV) has been submitted pending consideration. 08/02/2016 – A letter to be sent asking to remove signage or submit an application for an alternative more acceptable sign. (15/00454/ENBC – AW)
8.	183 – 187 Abbeydale Road, S7	Unauthorised canopy	19/01/2016	17/10/2016 – Further evidence has been provided by the owner which shows that the canopy had been in place for more than 4 years when the EN was served. NFA. 03/05/2016 – EN has been served on 04/04/2016 took effect on 6/05/2016 and needs compliance by 06/11/2016. 08/02/2016 – EN to be served (13/00499/ENUD – FS)
9.	16 Moor Oaks Road, S10	Unauthorised replacement of windows	01/12/2015	17/10/2016 – Awaiting outcome of appeal. 03/05/2016 – An appeal has been made to the Planning Inspectorate, statement to be done. 08/02/2016 – EN has been served on 01/02/2016 and takes effect on 04/03/2016 and needs

				compliance by 04/09/2016 (14/00138/ENART4 – AW)
10.	30 Stainton Road, S11	A rear dormer balcony	01/12/2015	17/10/2016 – Statement to be done for prosecution. 03/05/2016 – An appeal has been made to the planning Inspectorate against the planning decision (15/03156/FUL) awaiting outcome before any further action is taken. 08/02/2016 – An EN has been served on 14/01/2016 and takes effect on 22/02/2016 and needs compliance by 16/05/2016. (15/00282/ENUHD – AW)
11.	166 Abbeydale Road, S7	Unauthorised canopy	03/03/2015	17/10/2016 – It has been brought to the Councils attention that the ownership has changed. New Land Registry checks to be carried out and S330 Notice to be served. 03/05/2016 – 1 st hearing was on 04/02/2016 and 2 nd hearing was on 03/03/2016 did not attend for both and a warrant has been issued for his arrest. 08/02/2016 – File with litigation waiting for a court date. 21/10/2015 – EN has not been complied with - Prosecution file being prepared. 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). (13/00146/ENUD – FS)
12.	13 College Street, S10 2PH	Unauthorised replacement of roof tiles within an Article 4 Area	11/04/2014	17/10/2016 – Roof tile samples have been agreed and the owner has given assurances that works to the roof will

				be done end of October - Monitor 08/02/2016 - Prosecution file being prepared for litigation. 20/01/2015 – The time period for compliance has expired and reminder letter to be sent. (13/00373/ENART4 – AW)
13.	Vestry Hall 80 Crookesmoor Road Sheffield S6 3FR	Untidy Grade 2 Listed building	16/10/2014	17/10/2016 – The works have not been done and the company has gone into receivership. Legal advice being sort on what action can be taken. 08/01/2016 – The works are in two parts 1 st part should have been completed by 31/01/2016 and 2 nd part by 31/03/2016 – no work has been done yet to comply and the matter is to be reported for prosecution. 22/10/2015 – It has been agreed in Court that the works will be done by 01/2016. 13/07/2015 – Appeal has been lodged and is due in Court on the 11 August for 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. (11/00127/LGF215- JB)
14.	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	17/10/2016 – No work has been carried out. Statement to be done for 3rd prosecution. 03/05/2016 - A new phased deadline has been given for the works to be carried out. If the first phase is not carried out before the 25/06/2016 then the matter will be reported for 3 rd prosecution. (10/00370/ENART4 – KM)
15.	166, 223-225, 234, 235, 243-245 and	Illegal Signs	16/09/2014	17/10/2016 – Statement to be done for prosecution. 03/05/2016 – Signs at 223-

	280 Abbeydale road, S7			<p>225 have been removed. Identifying up to date details for properties 166, 234, 235 and 243 -245 before these are reported for prosecution. 08/02/2016 – Serving 330 Notice on new occupiers and prosecution file being prepared for 223-225 Abbeydale Road. 22/10/2015 – No 280 has been prosecuted and fined £420 in total and the signs have been removed. 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.</p> <p>(13/00164/ENOA – AW – 166) (13/00160/ENOA – AW – 234) (13/00162/ENOA – AW – 235) (13/00161/ENOA – AW – 243-245)</p>
16.	31 Moor Oaks Road, S10 1BX	Unauthorised replacement front door and frame	26/08/2014	<p>17/10/2016 – The owner has agreed that the door will be replaced shortly, which has been confirmed by the joiner. Site visit to be done to check if work has been done. 03/05/2016 – The matter has been reported for prosecution. 08/02/2016 – Final letter to be sent before the matter is reported for prosecution. 22/10/2015 – Replacement door details have been agreed, if no progress made to replace door then the matter will be reported for</p>

				prosecution. 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 (14/00209/ENART4 – AW)
17.	261A, 269 & 271-273 Fulwood Road, S10	Unauthorised replacement windows	17/12/2013	17/10/2016 – Works have been done to comply with the EN – NFA. 03/05/2016 – the prosecution has been adjourned until May 2016 to give the owner the opportunity to replace the windows. 08/02/2016 – Prosecution took place on 04/02/2016. The owner did not attend and case was adjourned until 3/03/2016 for the Court to write to him that if he doesn't attend a warrant will be issued. 22/10/2015 – File with legal for prosecution. 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 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 (13/00396/ENUD – AW – 271-273) (13/00533/ENART4 – AW – 261A) (14/00165/ENART4 – AW – 269)
18.	Land Between 1 To 3 and No 5 And 7	Erection of an Unauthorised wall	11/03/2014	17/10/2016 – Consent has been granted for the wall, which is now part of an

	Dover Road S11 8RH			approved building – NFA. 03/05/2016 - Condition application has been submitted and is pending consideration (15/01006/COND1) – Monitor. 22/10/2015 – New scheme has been approved (15/01006/FUL) – Scheme not implemented yet – Monitor progress, if no progress made then matter reported for prosecution. 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 with 6 month compliance period. (14/00171/ENUD – BG)
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	17/10/2016 – As the company is registered in Isle of Man it is outside of the jurisdiction of the Court and prosecution is not possible until the property is registered in the UK or there are resources available to carry out direct action works. (13/00131/ENUD – KM)
25	204 Chippinghouse Road, Nether Edge, S7 1DR	Unauthorised replacement of windows and door within an Article 4 area	13/08/2012	17/10/2016 – New joiner has been appointed and work should be carried out soon as possible to replace the last

				window. 03/05/2016 – the upstairs windows have been replaced and the old door has been put back. 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. (12/00106/ENUJ – KM)
26	7 Greenfield Drive, S8 7SL	Unauthorized signage on display	26/09/2011	17/10/2016 – The sign falls within class 2C and therefore it has deemed consent. – NFA 03/05/2016 – A final reminder letter to be sent before prosecution. 08/02/2016 – 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. (10/00905/ENOA – AW)
27	Ball Inn, Mansfield Road, S12 2AG	Unauthorized Hoarding	21/06/2010	17/10/2016 – A reminder letter to be sent and then the matter will be reported for prosecution. 03/05/2016 - Low priority but DN to be served. 22/04/2015 – S330 Notice has been served awaiting response. 16/01/2015 – Letter and S330 Notice to be served. (10/00189/ENHOA – BG)
29	Norfolk Arms Public House, Ringinglow Village, S11 7TS	Unauthorized fume extraction and Lighting Columns.	19/05/2008 & 21/09/2009	17/10/2016 – Agreed with owner that a new application will be submitted for alternative lighting design. 03/05/2016 – A joint site visit to be carried out with Planning and enforcement officer to assess

				<p>current situation before prosecution file is prepared. 22/10/2015 – Final warning letter to be sent before file passed to litigation. 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. (10/00759/ENBC – BG)</p>
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WEST AND NORTH AREA

NO	SITE	BREACH	DATE OF COMMITTEE RESOLUTION (or delegated authority)	CURRENT SITUATION
1.	72 Roebuck Road, S6 3GQ	Unauthorised commercial use of land, including the provision of an unauthorised shipping container	28/06/2016	17/10/2016 – EN has been served on 19/08/2016 and came into effect on the 19/09/2016. (15/00431/ENCHU - AW)
2.	Meade House, 96 - 100 Middlewood Road, S6	Reduction of eaves height planning permission (15/03524/FUL)	05/04/2016	17/10/2016 – PP has been granted – NFA 03/05/2016 – Planning application 16/01600/FUL has been submitted to rectify the planning position. (16/00215/ENUD– LB)
3.	110 Bolsover Road, S5	Unauthorised external wall insulation added to front and rear walls of house in breach of the materials condition in the planning permission under PD.	11/12/14	17/10/2016 - Difficulties in identifying the owners address details so that a summons can be served – further investigations being carried out. 26/10/2015 – File with legal awaiting court date. 09/07/15 - Legal proceedings being prepared & should be underway by next update – for failure to comply with BCN. BCN served 29/1/15. (14/00591/ENBC – LB)
4.	523 Loxley Road, S6	Unauthorised Car Port erected at rear of house, which includes a balcony roof.	09/12/14	17/10/2016 – The appeal has been dismissed. A letter has been sent requesting compliance with EN. 03/05/2016 – Awaiting Inspector decision. 26/10/2015 – Awaiting outcome of appeal. Appeal lodged against EN, process

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				underway. EN served 19/2/15. It requires removal of canopy & balcony by 15/5/15. (12/00731/ENUD – BG)
5.	209 Stannington Road, S6	Unauthorised Front Extension to House	09/12/14	<p>17/10/2016 – the owner was found guilty and fined £50 with £50 costs. A further letter to be sent requesting that work is carried out as required by the EN if not the matter will be reported for 2nd prosecution.03/05/2016 – Work has not been carried out as required by the Notice, prosecution file is being prepared.</p> <p>09/02/2016 – 6 month conditional discharge given in Court. A letter to be sent asking to comply with EN. 26/10/2015 – 1st hearing on the 26/11/2015. EN not complied with, legal proceedings being prepared at 09/07/15. EN served 16/1/15. It requires removal of white plastic extension from the front of house by 11/5/15. (13/00135/ENUD – BG)</p>
6.	Land, Rear of Former Middlewood Tavern, Middlewood Road North	Unauthorised Excavation Works.	09/12/14	<p>17/10/2016 – PP has been granted - NFA</p> <p>03/05/2016 - Planning application (15/03455/FUL) has been submitted. Pending consideration. (14/00141/ENUD – LB)</p>
7.	Oak Lodge Farm, Thompson Hill, S35	Unauthorised siting of 2 caravans and 4 metal	01/04/14	17/10/2016 - No response received from the previous owner. Meeting to take

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		containers		<p>place between Team Managers to discuss whether it is expedient to enforce. 03/05/2016 - Letter has been sent to previous owner of property asking to confirm when the use began. 26/10/15 – 3 unauthorised containers and one caravan have now been removed from the land following the serving of an EN. One caravan remains that is being used as residential accommodation. This is considered to be a breach of planning control by way of the unauthorised change of use of the land from agricultural to residential. To be immune from enforcement action the landowner must show that the land has been used continuously for residential purposes for 10 years or more. A letter is to be sent to the previous owner seeking further information regarding the history of the use of the caravan. 16/1/15– The Council withdrew the EN & its interest in the Public Inquiry due legal advice (from Council's Barrister). This is due to significant steps taken by the owner /appellant to remedy the issues covered by the EN. Step included removal of Two containers (containers 1 & 3) & one of the caravans (caravan B). The decision</p>

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				<p>is also due to the late submission of evidence on behalf of the appellant (a few days before the Inquiry) in relation to residential caravans (caravan B was already removed but A remains). 29/1/15 – Noted by officers on site that container 3 removed from land & container 4 has now been relocated to a position between two existing farm buildings, removing planning objections to it (on visual grounds). The only issue remaining is residential caravan A. 21/4/15 - Legal advice being taken in relation to caravan A Appeal lodged & Public Inquiry to be held 20/1/15. EN served 16/4/14, requires removal of 2 caravans & 4 containers.</p>
8.	492 Barnsley Road	Unauthorised Change of Use from A1 to A5 and erection of external flue without planning permission	11/03/2014	<p>17/10/2016 – PP has been granted – NFA. 03/05/2016 – The application has been validated and is pending consideration. 09/02/2016 – The flue has been relocated to an acceptable location. However, the use and the flue still need to be regularised. Reminder letter to be sent to validate the application. Application submitted for change of use & flue, ref:</p>

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				14/02077/FUL Preparations being made for service of EN to remove flue and negotiations needed to find alternative method of venting fumes away without causing visual harm. (11/00147/ENUD – KM)
9.	290-308 Pitsmoor Road	(1) Use of Ground floor for retail shop, 1 st & 2 nd floors as HIMO, (11/00050/FUL refused) (2) Canopy to front of Shop refused PP	19/4/2011	17/10/2016 - Application for signage (16/00262/ADV), condition discharge application (11/01912/COND1) and variation of condition application (16/00271/FUL) have been submitted pending consideration. 26/10/2015 – Reminder letter to be sent if no response BCN to be served. Little progress due to other high priority work. Progress expected by next update. 06/01/15 – Conditions in breach identified, contacting new owner to address before next quarterly update, for any outstanding conditions, such as boundary treatment, surfacing works etc. (1) EN proposed regarding discharge of conditions of 11/00050/FUL as agent pulled out and no sign of progress. 31/10/12. Officers talking with agent regarding discharge of conditions before application submitted for same. 31/7/12. Discharge of conditions application being

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				<p>prepared for this PP. (1) New application 11/01912/FUL to improve the scheme taking account of reasons for refusal of HMO/Shop, (amendment to refusal of broadly similar scheme ref.11/00050/FUL), was granted conditionally 11/8/11. Shop & HMO has PP (2) 11/03370/ granted 3/1/12, implementation will supersede the EN. EN not complied with at 30/12/12. Holding back from prosecution for time being due to new application 11/03370 for alternative canopy to the one built. EN served 8/6/11, took effect 13/7/11. (14/00535/ENBC – KM)</p>
10.	Youth Club Building, Burgoyne Road, S6	Non-payment of planning obligation monies £10,897.40 in relation to 05/00551/FUL. Change of use taken place and flats now occupied	25/01/2011	<p>17/10/2016 - Briefing notes being prepared by legal on what action to be taken. 26/10/2015 - Ongoing litigation case to pursue original owner who signed the s106. Legally the new owner cannot be sued. Solicitors are examining ownership to decide who to pursue for the money. 06/04/11 Developer Mr Dempsey still owns the site. Case with litigation & prosecution to be considered.</p>
11.	Parker's Yard, Stannington Road, S6	Unauthorised use as self-storage & metals recycling	10/06/2010	<p>17/10/2016 – new application (14/02426/CHU) under consideration /</p>

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		facility. 09/02757/CHU refused PP.		<p>decision pending. 14/02426/CHU submitted to retain previously refused use setting out case that it is operating without nuisance. Deadline set, of the same period given in the EN to cease the use at Parker's Yard due to lack of alternative plan from Carwood Commodities. Proposed that 16 weeks be given from date of committee if approved by Members. At Jan 2014, the lease is still being actively negotiated for the Pearson Forge Site, but it remains unsigned due to difficulties on the seller's part. The business is overcoming problems with bank & with the vendor for the due to the economic climate but progress is being pushed by the company, albeit slowly due to increasing demands being asked of them. The company is determined to resolve this. 18/7/12, still delayed by solicitors, expecting contract sign for Pearson Forge soon. 1/3/12, Land contamination survey completed awaiting results of analysis, (takes 6wks= approx 10/4/12). Owner reports on 28/3/12 there shouldn't be further obstacles if analysis shows the land is ok. Business owner continues to update officers with progress</p>

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				<p>reports. Work on site now likely to be later, March, due to owners Bank requiring more info on structural stability of site buildings & land contamination. Relocation - the legal process begun & discharge planning conditions also taking place now. Initial estimate is Dec'11 for work to start at Pearson Forge. Alternative site that would be suitable for relocation identified & 11/01953/CHU granted 13/9/11 for former Pearson Forge at Livesey St. Appeal against EN was dismissed 14/3/11; new compliance period ends 2/7/11. EN served requiring uses to stop by 20/4/11. Appeal against refusal of 09/02757/CHU dismissed. (10/00464/ENUD – LB)</p>
12.	Dial House Club, Far Lane/Ben Lane, S6	<p>Non-compliance with conditions attached to PP04/04797/FUL, Cond 2-materials for external surfaces, C3-design details for new apartment building, C4-landscaping for grounds, C6-highway access & finishes to frontage, C8-pedestrian access to new bowling green, C9-new pavilion details, C10-bowling</p>	15/12/2009 (delegated authority)	<p>17/10/2016 - Condition 8 relating to pedestrian access, Condition 9 relating to details of pavilion to serve the new bowling green and condition 10 programme of maintenance have not been discharged - BCN to be served. 09/02/2016 – Conditions applications have been determined site visit to be done to check if work has been carried out in accordance with what has been approved. 26/10/2015 – In discussions with Planning</p>

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		green maintenance.		<p>Officer to Resolve issues regarding bowling green. 26/09/2015 - Applications under consideration, decision pending. Discharge of Conditions applications, 13/00599/COND & 13/00606/COND under consideration likely to come to committee in Feb/March. Development nearly complete. PP being implemented at 26/9/11, BCN now complied with. Meeting inc developer, officers & Members was held in Dec10 & promise to start work along agreed lines made to start Jan'11. Discharge of conditions agreed in principle with applicant at meeting 6/8/10 subject to approval of application. BCN served 21/12/09. Condition details required by 29/3/10.</p> <p>(16/00256/ENBC – LB)</p>

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