



**SHEFFIELD CITY COUNCIL**  
**City Centre South and East**  
**Planning & Highways**  
**Committee Report**

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**Report of:** Director of Development Services

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**Date:** 04.02.2013

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**Subject:** Enforcement Report

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**Author of Report:** Abby Wilson

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**Summary:** UNAUTHORISED OUTBUILDING IN THE FRONT GARDEN OF 3 LONG LINE, DORE, S11 7TX

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**Reasons for Recommendations**

The outbuilding lies forward of the principal elevation of the original dwellinghouse and does not benefit from being 'permitted development'. Situated within the Green Belt and an Area of High Landscape Value, the outbuilding is contrary to national and local policies. Freestanding buildings are deemed to be inappropriate unless for agriculture or forestry or other specified uses that do not conflict with the purpose of including land within the Green Belt. The outbuilding is prominent in the front garden area and detracts from the openness of the Green Belt to the front of the property on a site that already has significant additions to the original building.

**Recommendations:**

That the Director of Development Services or Head of Planning be authorised to take any appropriate action including the institution of legal proceedings to secure the removal of the outbuilding.

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.

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**Background Papers:**

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**Category of Report:** OPEN

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## **ENFORCEMENT REPORT**

REPORT ON THE UNAUTHORISED OUTBUILDING IN THE FRONT GARDEN OF 3 LONG LINE, DORE, S11 7TX

### **1. PURPOSE OF THE REPORT**

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

### **2. BACKGROUND / LOCATION**

2.1. A large wooden outbuilding is situated forward of the front elevation of 3 Long Line, S11 7TX. The property lies within an area recognised by the Sheffield Unitary Development Plan as an Area of High Landscape Value within the Green Belt.

2.2. Long Line is to the North of Dore Village and consists of a long straight road, with dwellings along most of the western side, otherwise surrounded by agricultural land.

2.3. The outbuilding is positioned on a plot immediately in front of the front elevation of the neighbouring property 3a Long Line. See Appendix A for the location plan.

2.4. An original complaint was received in January 2012 regarding the outbuilding. The complaint was withdrawn as the owners confirmed the outbuilding was intended for a location at the rear of the property. A concrete base, and electricity supply had already been supplied to this intended location and the owner stated the outhouse would be moved within eight weeks.

2.5. In August 2012 a further complaint was received as the outbuilding was still in position at the front of the property.

2.6. A letter, dated 07 September 2012, advised the owners at 3 Long Line, that the outbuilding was unauthorised and invited them to contact the planning department to discuss possible solutions.

2.7. The owners contacted the Council within 14 days and advised of their intentions to move the outbuilding to a plot at the rear and requested until the end of October 2012. This was agreed. On the 30th October 2012, the owner contacted the office to request a further 14 days to move the outbuilding as works were ongoing on the driveway and garden and the outbuilding was used to store materials. This was also agreed.

2.8. On 30th November 2012, as the extended period had now lapsed by a further 16 days, the owners were advised that enforcement options would now be considered.

2.9. In response, the owners replied in writing to advise that ill health had delayed the progress and they would endeavour to recruit family and friends to remove the outbuilding over the Christmas period. To date, the outbuilding is still positioned forward of the front elevation.

### **3. ASSESSMENT OF BREACH OF CONTROL**

3.1. The site lies within the Green Belt and an Area of High Landscape Value. The thrust of national and local planning policies is to restrict 'inappropriate' development within Green Belts. Whilst modest extensions and alterations to existing buildings are not 'inappropriate' development, freestanding buildings are deemed to be inappropriate unless for agriculture or forestry or other specified uses that do not conflict with the purpose of including land within the Green Belt.

3.2. In this instance, the structure is forward of the principal elevation of the original dwellinghouse and does not benefit from being 'permitted development'. The original dwelling has already been significantly extended, most recently as 'permitted development', and exceeds tolerances permitted under UDP Policy GE8 (House Extensions in the Green Belt). The structure is prominent in the front garden area and detracts from the openness of the Green Belt to the front of the property on a site that already has significant additions to the original building.

3.3. As 'inappropriate' development, the structure is contrary to Policy GE3 (New Building in the Green Belt) and no 'very special circumstances' have been demonstrated to justify a departure from the adopted policy. In these circumstances, any formal application to regularise the development would be recommended for refusal.

### **4. REPRESENTATIONS**

4.1. One complaint has been raised in January 2012 and later withdrawn. A second complaint was received in August 2012. See paragraph 2.4 and 2.5

### **5. ASSESSMENT OF ENFORCEMENT OPTIONS**

5.1. Section 172 of the Town and Country Planning Act 1990, enables the Local Planning Authority to issue enforcement notices where there has been a breach of planning control. In this case the notice would require the removal of the outbuilding.

5.2. The notice will ensure the removal of the outbuilding allowing for a period of compliance found reasonable given the difficulties the owners have experienced in relocating the outbuilding.

### **6. EQUAL OPPORTUNITIES**

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

## 7. FINANCIAL IMPLICATIONS

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

## 8. RECOMMENDATION

8.1. 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 unauthorised outbuilding at 3 Long Line.

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.

### Appendix A Location Plan 3 Long Line



### Appendix B - Outhouse from roadside



**Appendix C – View from Front elevation of neighbouring 3A Long Line**



Les Sturch  
Head of Planning

**Date: 04 February 2013**

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