

At the 02 February 2010 meeting of the Planning Committee it was agreed that updates would be provided on a quarterly basis to the Committee on enforcement cases where formal notice had been issued and were ongoing or had been resolved since the previous update.

Planning Enforcement Update – cases where formal Notice issued

01 January 2010 – 31 March 2010

1. Mansion (Lions) Hotel, 32-35 Grand Parade

Planning Enforcement ref: ENF/2008/0023

Planning Application ref: EB/2008/0456; EB/2008/0457(LB)

EB/2008/0456 & EB/2008/0457(LB): Retrospective planning application for the removal of seven timber framed sash windows and replacement with UPVc framed sash windows at lower ground floors of 15, 17 and 19 Hartington Place.

In February 2008 it was noted that an initial seven timber framed sliding sash windows at lower ground floor level in the listed Hartington Place elevation of the property had been replaced with UPVc framed windows. Contact was made with the owner of the property in regard to this issue which resulted in the submission of retrospective planning and listed building consent applications for the replacement windows in June 2008.

Permission was refused for both applications in September 2008. Contact was made with the owner in April and July 2009 advising of the action required to restore the windows however no contact was received in return.

Subsequent to the above referred to applications a further three windows were noted as having been replaced from timber framed sliding sash to UPVc framed windows bringing the total number of unauthorised replacement windows in the listed Hartington Place elevation of the property to ten.

A listed building enforcement notice was issued to the owner and mortgage lender on the 04 January 2010. This notice required the replacement of the UPVc windows with appropriate timber framed sliding sash windows.

The effective date of the notice was the 04 February 2010 with a compliance period of four calendar months.

An appeal was however lodged with the Planning Inspectorate against the listed building enforcement notice within the allotted time period. This is a written representations appeal, the Council has submitted its appeal statement to the Inspectorate and the matter is currently ongoing.