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REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 4
DATE OF MEETING:	13 <sup>TH</sup> September 2005	CATEGORY: RECOMMENDED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R. M. Shirley ext. 5950	
SUBJECT:	Alleged non-compliance with plans relating to a single storey outbuilding in the rear garden of 61 Castle Street, Melbourne	REF: RMS/E2005/80
WARD AFFECTED:	Melbourne	TERMS OF REFERENCE: DC01

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**1.0 Reason for Exempt (if appropriate)**

1.1 Not applicable

**2.0 Recommendations**

2.1 That the Development Control Committee takes no action in the matter.

**3.0 Purpose of Report**

3.1 To obtain the Committee's instructions.

**4.0 Executive Summary**

4.1 Not applicable

**5.0 Detail**

- 5.1 Following receipt of a complaint, site inspections were carried out at the above location.
- 5.2 The building subject of complaint, is a single storey extension to a range of replacement outbuildings serving nos. 57 and 59 Castle Street which had, themselves, received both planning permission and listed building consent in September 1998. Nos. 55 – 63 Castle Street are a terrace of Grade II Listed Buildings situated within Melbourne Conservation Area.
- 5.3 The extension received planning permission and listed building consent in December 2004 and was subsequently erected during the first part of the current year.

5.4 The complaint, which was received in June 2005 contained five allegations. These were that:

- a roof light had been inserted in the western roof slope of the building overlooking an adjoining garden;
- the roof had been finished in grey concrete tiles rather than in the Staffordshire blue tiles specified on the original plans thus giving the building an 'industrial' look;
- a window had been inserted in the gable
- the corbelling and brick detail to the gable had not been carried out ; and
- the structure had been erected without necessary approval under the Building Regulations.

5.5 The question of the roof light had already been addressed in late May 2005 and the complainant advised that its installation did not amount to a material change in the character of the development and thus, no new application would be required.

5.6 The site inspections revealed that whilst the roof slope of the extension adjoining the neighbouring property had not been treated in Staffordshire blue tiles, the tiles employed were plain and a close match to those used on the original range of outbuildings. It was ascertained that the corbelling and brick detail had not been carried out on the gable although this could not be viewed as material as the other gable on the range of outbuildings was plain. A small UPVC window had been inserted in the gable, apparently to provide ventilation for the toilet accommodation. The plain wood fascia fronting the neighbouring property had not been painted. The owner of the property has been requested to undertake this as soon as possible.

5.7 The Building Control Manager has been advised of the situation with respect to the possible need for approval under the Building Regulations and is carrying out his own investigation into the matter.

5.8 A plan of the site is attached at Annexe 'A'.

## **6.0 Financial, Corporate & Community Implications**

6.1 None

## **7.0 Conclusions**

7.1 Whilst there are in evidence a series of minor differences from the approved plan, there is, overall, a minimal effect on the nearby Listed Buildings and a negligible effect on the Conservation Area.

7.2 In the light of this, enforcement action under the Town & Country Planning Act 1990 would not be expedient.

## **8.0 Background Papers**

8.1 Enforcement File E/2005/80