
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	18th December 2001	CATEGORY: Delegated
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Unauthorised installation of replacement windows in the front elevation of the terraced dwelling at 5 Burton road Ticknall	REF: RMS/E2001/133
WARD AFFECTED:	Ticknall	TERMS OF REFERENCE: N/A

1.0 Recommendation

- 1.1 That the Development Control Committee authorise the service of an Enforcement Notice requiring that the following steps be taken within a period of four calendar months from the date on which the Notice takes effect:-
1. The removal of the two unauthorised windows installed in the front elevation of the dwelling.
 2. Their replacement by two windows of a design that shall be submitted to and approved in writing by the Council.
 3. The unauthorised replacement windows installed in the rear elevation to be painted white.
 4. All building materials resulting from the works to be removed from the site.

2.0 Purpose of Report

- 2.1 To obtain the Committee's instructions.

3.0 Detail

- 3.1 A site inspection has been carried out at the above location.
- 3.2 The property is the centre dwelling of a terrace of three houses. The property is situated within the Ticknall Conservation Area and is also covered by the Ticknall Article 4 Direction, which effectively removes 'permitted development' rights from the dwelling.
- 3.3 On the site visit it was noted that the ground and first floor windows in the front elevation of the dwelling had been replaced without the benefit of planning permission. The design of these windows is not appropriate in the conservation area and they are detrimental to its character. Subsequent investigation revealed that three windows on the rear elevation had also been replaced. However, as these windows are not readily visible from public vantage

points, the impact of them on the Conservation Area would not be significant and any harm would be mitigated by painting them white.

3.4 The owners of the property have been contacted about the matters but have taken no action to rectify the situation.

3.5 A plan of the site which is approximately 73 square metres in area is attached at Annexe A.

4.0 Financial Implications

4.1 None

5.0 Corporate Implications

5.1 Not applicable

6.0 Community Implications

6.1 Not applicable

7.0 Conclusions

7.1 The unauthorised replacement of the windows constitutes a clear breach of planning control. Those in the front elevation are harmful to the character and appearance of the conservation area whilst those in the rear are acceptable subject to suitable treatment.

7.2 It is open to the Committee to authorise the service of an Enforcement Notice to require the owners to take appropriate steps to correct the situation.

8.0 Background Papers

8.1 Enforcement file E2001/133.