

EXMOUTH
(Exmouth Littleham)

01/02124
(Enforcement)

Location: 5 Salterton Road
(Plot Ref: 00618064)

Proposal: The unauthorised installation of UPVC windows in a Grade II Listed Building

Planning History

App. No.	Year	Proposal	Date and Decision
P0287	1998	Installation of satellite dish (Flat 1)	Approved 25.06.98
P1195	1993	Repairs to roof canopy of front porch	Approved 31.08.93

Representations

One of letter of support from a resident was received (18.8.03)

Town Council

The Town Council do not support enforcement action to remove the windows and felt that the windows should be allowed to remain.

Ward Members

One supports enforcement action.
One does not support enforcement action.
One has not replied at the time of writing this report.

Planning Background

In May 2003 it came to light that various flats at this property had UPVC windows and doors installed. The building was listed in 1949 and although it states that 20th Century windows were present, these are believed to have been either metal or timber framed windows, as PVCu was not available at the time of listing. Enquiries with the Office of the Deputy Prime Minister revealed that the rear of the building was not photographed at the time of listing, nor subsequently. It appears English Heritage were aware of the presence of PVCu windows in 1996.

Planning Policy

➤ PPG15 – The Historic Environment

Devon Structure Plan 2001 – 2016

➤ C07 – Historic Settlements

East Devon Local Plan

➤ EN13 (Extensions, Alterations or Change of Use of Buildings of Special Architectural and Historic Interest)

➤ D1 (Design and Local Distinctiveness)

Planning Observations

Where inappropriate 20th Century windows have been inserted into a listed building prior to listing the choice for house owners, as and when the windows need to be renewed, is to either replace like for like, or have windows made that match the historic character of the building. In common

with other local authorities, it is not the practice of East Devon District Council to accept PVCu in lieu of (for instance) Crittall metal windows. If the owners had approached the Local Authority prior to inserting these windows, this advice would have been given. This is a fine listed building and PVCu windows are inappropriate in the building, even on the rear elevation. The windows are detrimental to the appearance and historic character of the building.

Assessment

It is not uncommon for it to come to light that inappropriate windows have been inserted into listed buildings without consent and where they have been in for some years the Local Authority has the choice of either accepting the situation or requiring their removal. Such works do not become immune from a requirement for Listed Building Consent and the law was structured this way to enable inappropriate works to be reversed as the Local Authority becomes aware of the situation. It is the practice of this Authority (where the breach appears to be historic) to require removal by way of a Listed Building Enforcement Notice with an extended time scale; this allows house owners time to budget for the works but ensures in time that the building is properly restored. This seems to be an instance suitable for such course of action.

Recommendation

That the Head of Legal Services be granted delegated authority to instigate legal action as necessary (including the service of Listed Building Notices) to secure the removal of the unauthorised UPVC windows and their replacement with timber windows of a more traditional design.

Period of compliance 5 years.

List of Background Papers

The file containing all letters, consultations, and documents referred to in the report.