

Enforcement of Planning Control
Enforcement Item for Noting:
No.1 & No.2 Manor Farm House, Oby
Report by Head of Planning

Summary: This report concerns unauthorised works to a Grade II Listed Building and offers an update on the on-going regularisation of the works.

Recommendation: That members note and endorse the contents of this report.

Location: Manor Farm House, Manor Farm Road, Ashby with Oby

1 Background

- 1.1 Manor Farm House at Ashby with Oby is a Grade II Listed Building. The list description includes “*2 doorways. Door to right is within doorcase of pilasters supporting simple entablature. Rectangular overlight. Sash windows with glazing bars and gauged skewback arches*”.
- 1.2 In 2010 unauthorised work comprising the replacement of the windows and doors of the property with uPVC units was identified in a survey of historic buildings. This was then followed by a prolonged period of negotiation regarding the replacement of the unauthorised and inappropriate replacements between the Authority and the owner, which were protracted due to the difficult personal circumstances of the owner.
- 1.3 A report on the 17 August 2012 was brought to the Planning Committee seeking authority to serve a Listed Building Enforcement Notice (LBEN) if voluntary compliance could not be achieved. The LBEN would seek the phased replacement of the windows and doors over a 10 year period. This was agreed by Members.
- 1.4 Following this resolution, voluntary compliance was sought from the owner. An agreement was entered into for a phased replacement for the windows and doors. On 1 May 2014 Listed Building Consent (LBC) was granted for the work (BA/2014/0076/LBC) and a period of 10 years was given for completion of the works.
- 1.5 Unfortunately little progress was made during the remainder of 2014 due to the owner’s financial situation and continued poor health.

- 1.6 In January 2015 the Authority was advised that a manufacturer for the windows had been identified and an order had been placed.
- 1.7 In March 2015 a site visit was undertaken and it was noted that three uPVC doors had been replaced with appropriate timber replacements. The owner advised that two replacement window frames had also been manufactured and they were currently waiting for a suitable weather window for them to be fitted. The Authority was advised that the work was expected to be completed in early April.
- 1.8 A report was taken to Planning Committee on 2 April 2015 advising of the above.
- 1.9 At the end of April 2015 the site was re-visited and it was confirmed that the 2 additional timber windows had been installed. In total 3 doors and 2 windows have been replaced.

2 Update Since 2 April 2015

- 2.1 It is acknowledged that there is a 10 year period for compliance. Five of the 28 apertures that require replacing have been completed to date (approximately 18%). In April 2016 however the agent advised that no further work had yet been undertaken.
- 2.2 At May 2016 therefore the position is that approximately a fifth of the required work has been completed within a fifth of the time allowed for compliance.
- 2.3 In order to achieve compliance this means an average of 3 apertures a year for the remaining 8 years will need replacement windows or doors fitted. As at May 2016 the Applicant is still meeting that requirement however there will need to be movement this year in order to maintain the momentum of the previous 2 years.
- 2.4 Whilst technically the Applicant could wait until year 10 before completing the work it would in reality be beneficial to work with and encourage the Applicant to maintain momentum so as not to face too onerous a task at the point at which compliance needs to be achieved.
- 2.5 It is suggested that Officers contact and or meet with the Applicant to discuss the schedule going forward to ensure that the agreed 10 year programme for compliance is achieved.
- 2.6 Officers are aware that there continue to be issues surrounding the health of the applicant and that negotiations will need to be carried out sensitively.

3 Conclusion

- 3.1 The progress on this long standing case is welcomed, however, Members' endorsement is sought on continuing discussions with the Applicant in order to maintain momentum with the agreed programme of work.
- 3.2 Officers will continue to monitor the site and bring a report to Planning Committee at 6 monthly intervals.

Background papers: Broads Authority DC Enforcement File BA/2010/0071/UNLBP1

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Appendices: APPENDIX 1 - Site Map

BA/2010/0071/UNLBP1 - Manor Farm House, Oby
Unauthorised work to Grade 2 Listed Building

APPENDIX 1

