

**E/09/0008/A – Untidy condition of the land and dwelling at 188 Dunmow Road, Bishops Stortford, CM23 5HW.**

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**Parish: BISHOP'S STORTFORD**

**Ward: BISHOP'S STORTFORD ALL SAINTS**

**RECOMMENDATION**

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to issue and serve a Notice under Section 215 of the Town and Country Planning Act 1990 and such other steps as may be required to secure the improvement of the site by the rebuilding of the rear wall of the property in accordance with either its former appearance, prior to its partial demolition, or in accordance with planning permission granted under application number 3/04/2492/FP together with the reconstruction of the roof of the property or construction of the dormer window approved under application number 3/04/2492/FP; the repair or replacement of windows in the front elevation; the cleaning of paintwork, replacement of any missing render to the building, repainting all paint free or discoloured areas in a matching colour paint and to leave the building in a weathertight condition and the site in a clean and tidy condition.

Period for compliance: 3 months

Reason why it is expedient to issue a notice under Section 215:

The condition of the land and building is detrimental to the amenity of the surrounding area by reason of the poor state of the dwelling.

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**1.0 Background**

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located on the south-western side of Dunmow Road, Bishop's Stortford about 60 metres south-east of the junction with East Road. Photographs of the site will be available at the meeting.
- 1.2 The site is a former detached dwellinghouse and grounds which is now subdivided into four flats. Whilst the four flats are in separate leasehold ownership, the dwellinghouse freeholder is also the leaseholder of Flat 'D', the first floor flat where building works were started and then abandoned. Council Tax records indicate that Flat 'D' has been unoccupied since November 2000; however that occupancy was for approximately 1 month only following an earlier period of unoccupancy.

## **E/09/0008/A**

- 1.3 In August 2007 concern was expressed to officers regarding the overgrown condition of land to the rear of building and the loss of amenity caused by discarded rubble and building materials.
- 1.4 A site visit by the enforcement officer showed that works were apparently underway to construct a dormer and bay window granted planning permission under application number 3/04/2492/FP. The roof had been partially stripped of tiles and a wooden dormer structure erected and felted but with holes in the position of agreed windows. The rear wall of Flat 'D' had been largely removed and left open to the elements apparently in preparation to building the approved 2 storey bay window. However Flat 'B' below Flat 'D' is a separate leasehold property with a different leaseholder.
- 1.5 The enforcement officer noted that scaffolding was erected and works to the property continued. Following a meeting with the owner of the property the area of land was acceptably tidied and the file closed.
- 1.6 In August 2008 further concerns were expressed with regard to the site. No works had apparently taken place since the enforcement officers previous visit other than to remove the scaffolding. The rear wall of Flat 'D' was still largely missing with a dust sheet hung over part of the opening. One front window of Flat 'D' was missing and the window frames in the front elevation were largely rotten and the paintwork dirty and peeling. Flat 'B' was removed from the Council Tax register as uninhabitable in 2005 by the Valuations Office following the collapse of ceilings and warping of doors and windows following significant ingress of water through Flat 'D'.
- 1.7 In September 2008 the enforcement officer, in company with the Empty Homes Officer, met the owner to discuss this, and a number of the owner's other properties in Bishop's Stortford. Works required to the property were discussed between the parties at that meeting.
- 1.8 Following that meeting the enforcement officer wrote to the owner of the site to confirm the works then considered essential at the site. That letter explicitly informed the owner that a failure to take remedial action may lead to a recommendation to take action as proposed in this report.
- 1.9 Further site visits in November 2008 and January 2009 reveal that no additional works to the building have apparently been undertaken.

## **2.0 Planning History**

- 2.1 The recent planning and enforcement history is as follows: -

## E/09/0008/A

### Planning.

3/83/00754/FP	Conversion of two flats to four flats.	Approved with conditions.
3/04/1250/FP	Loft conversion and new access stairs. New bay window.	Refused.
3/04/2492/FP	Loft conversion and new access stairs. New bay window.	Approved with conditions.

### Enforcement.

E/06/0553/A	Development not in accordance with approved plans.	No breach.
E/07/0401/A	Condition of land.	Complied.

## **3.0 Considerations**

- 3.1 It is the opinion of officers that the amenity of the local area is adversely affected by the condition of the building. The poor state of repair of the dwelling is seriously detrimental to the street scene and to the amenity of neighbours.

## **4.0 Recommendation**

- 4.1 It is recommended that authorisation be given to issue and serve a notice under Section 215 of the Town and Country Planning Act 1990 requiring the remedial works as detailed above.