

12. E/09/0426/B – Unauthorised change of material on the flat roof link extension to the rear of the listed dwelling at 7 Town Lane, Benington, SG2 7LA

Parish: BENINGTON

Ward: WALKERN

RECOMMENDATION

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the removal of the mineral felt on the flat roof of the link extension to the listed building and its replacement with zinc as shown on the approved plans.

Period for compliance: 4 Months

Reasons why it is expedient to issue a listed building enforcement notice:

The material used to roof the link extension is not in accordance with the approved plans granted under references 3/08/0387/FP and 3/08/0553/LB and is inappropriate on a listed building. As such, it detracts from the historic character and appearance of the listed building, contrary to policies BH10 and BH 12 of the East Herts Local Plan April 2007.

_____ (042609B.PD)

1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. It is a semi detached Grade II listed building fronting Town Lane within the village of Benington and set within a rural location.
- 1.2 Planning permission and listed building consent were granted in May 2008 for an extension to the rear of the listed building and the erection of a new building to replace a dilapidated outbuilding (ref: 3/08/0387/FP and 3/08/0553/LB). The new building was proposed to be linked to the rear extension via a single storey flat roof link extension. The approved plans indicated that the roof of this flat roof link would be finished in zinc.
- 1.3 However, it was brought to the attention of the Council in early November 2009 that the owners of the house had covered the roof of the link building

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between the listed property and the approved building with grey roofing felt and not zinc as shown on the approved plans.

- 1.4 Following a visit to the site on 11th November 2009 the matter was discussed with the Conservation Officer wherein it was determined that the current material used was unacceptable and detrimental to the historic character and appearance of the listed building. The owner has however stated that they were unwilling to change the material due to the costs involved.
- 1.5 Photographs of the site will be available at the Committee meeting.

2.0 Planning History

2.1 The recent planning history is as follows:-

3/07/0476/LB	Extension to rear linking to new proposed timber building.	Refused
3/07/0629/FP	Extension to rear and proposed new building replacing dilapidated timber outbuilding.	Refused
3/08/0387/FP	Extension to rear and proposed new building replacing dilapidated timber outbuilding.	Approved with conditions
3/08/0553/LB	Extension to rear linking to new proposed timber building.	Approved with conditions

3.0 Policy

- 3.1 The relevant policies of the East Herts Local Plan Second Review April 2007 are :-
- BH10 – Extensions or Alterations to a Listed Building.
 - BH12 – Development Affecting the Setting of a Listed Building.

4.0 Considerations

- 4.1 The building lies within the Conservation Area of Benington and is a Grade II listed building. As such, policies BH10 and BH12 of the adopted Local Plan are applicable. Both policies seek to ensure that extensions or

alterations to listed buildings are carried out in a manner which preserves or enhances their special historic character, appearance and setting. The link extension was granted planning permission and listed building consent on the basis that the roof of the link was clad in zinc which is an acceptable material for such an extension to a listed building and would preserve its historic character.

- 4.2 The current unauthorised use of mineral felt is inappropriate and unsympathetic to this historic character. Furthermore, it has a limited life and if not properly maintained will deteriorate over time, unlike the approved material which has a much longer life and adds to the external appearance of the listed building, maintaining its historic character.

5.0 Recommendations

- 5.1 For the above reasons it is recommended that authorisation be given to issue and serve a Listed Building Enforcement Notice requiring the removal of the unauthorised roofing material and its replacement with the approved zinc roofing.