
**BREACH OF PLANNING CONTROL AT LEON COTTAGE,
LARK HILL ROAD, CANEWDON**

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services concerning the erection of a uPVC conservatory without planning permission or Listed Building Consent and alterations to windows without Listed Building Consent.

2 INTRODUCTION

- 2.1 Leon Cottage is a Grade II listed building on the north side of Lark Hill Road on the approach to Canewdon village. It is described in the relevant *List of Buildings of Special Architectural or Historic Interest* as:

“Cottage. C18/C19. Timber framed and plastered. Red plain tiled gambrel roof. Central red brick chimney stack. One storey and attics. 2 catslide dormers. 2 ground floor small paned casements with fanlights. Central vertically boarded door. C18/C19 ceiling beams visible externally.”

- 2.2 Although the listing applies to the whole house, only the front section of the house appears to be recorded in the listing. The central section of the house comprises of a two storey addition set at right angles to the original part of the dwelling. To the rear of this section a modern uPVC conservatory giving access to the rear garden has been constructed.
- 2.3 The other works to a listed building are the insertion of wooden framed windows in the front of the building overlooking Lark Hill Road. Many other works have taken place since the current owners moved into the property, but these others were all undertaken prior to the listing.
- 2.4 Having sought advice from the County Council’s Historic Buildings Advisor, it is considered that the uPVC conservatory is out of keeping with the character of Leon Cottage. Also, as the property has been previously extended, the extension exceeds the 35 square metre “allowance”. It would not, therefore, be in accord with Green Belt Policy GB7 in the Rochford District Local Plan.
- 2.5 The windows currently in place are also out of keeping with the character of Leon Cottage. The owners have been interviewed under caution and informed that the works carried out are without the benefit of Listed Building Consent or, in the case of the conservatory, planning permission.
- 2.6 This development is contrary to Rochford District Local Plan policy UC7, which states:

“ALTERATIONS AND ADDITIONS TO A LISTED BUILDING WILL NOT BE PERMITTED IF THEY ADVERSELY AFFECT IMPORTANT ARCHITECTURAL OR HISTORIC FEATURES, BOTH INTERNAL AND EXTERNAL, WHICH CONTRIBUTE TO ITS CHARACTER, TO THE SCALE AND PROPORTIONS OF THE BUILDING OR TO THE PRESERVATION OF ITS SETTING. THE CHOICE OF MATERIALS FOR NEW ADDITIONS TO LISTED BUILDINGS WILL BE EXPECTED TO COMPLEMENT THE ORIGINAL MATERIALS OF CONSTRUCTION.”

- 2.7 The current windows on the road frontage adversely affect the character of the property and as they have been inserted without consent, need to be replaced. Such works are intended to form part of the expected Listed Building Consent application.
- 2.8 Although the owners have indicated that relevant applications will be submitted, it is considered that the issues here are reasonably clear and given the seriousness of the offence, the following recommendation is necessary so that the breaches may be rectified as soon as practically possible.

3 LEGAL IMPLICATIONS

- 3.1 Any action considered necessary through the Courts to remedy the breach.

4 RECOMMENDATION

- 4.1 It is proposed that the Committee **RESOLVES**

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action including the issue of Notices and action in the Courts to secure the remedying of the breaches of planning control now reported. (HPS)

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