Taunton Deane Borough Council

Planning (Listed Buildings and Conservation Areas) Act 1990

Listed Building Enforcement Notice – No. 2

Whereas:

1. It appears to the Taunton Deane Borough Council ("the Council") being the Local Planning Authority for the purposes of Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") in this matter, that there has been a contravention of Section 7 of the Act, in respect of the building ("the building") described in Schedule 1 below. The building is a listed building as defined in Section 1 of the Act.

2. The contravention of Section 7 of the Act which appears to have taken place consists of the alteration of the building in a manner which affects its character as a building of special architectural or historic interest described in Schedule 2 below without the grant of listed building consent required for these works.

3. The Council considers it expedient, having regard to the effect of the works on the character of the building as one of special architectural or historic interest, to issue this listed building enforcement notice, in exercise of its powers in the said Section 38, for the reasons given in the annex to this Notice.

Notice is hereby given that the Council require that the steps specified in Schedule 3 below be taken in order to restore the building to its former state within a period of 9 months from the date on which this notice takes effect.

This Notice shall take effect, subject to the provisions of Section 39 of the Act, on 29 May 2008.

Issued : 25 April 2008

Signed .....
for Solicitor to the Council

The Deane House,
Belvedere Road,
TAUNTON.

RB/PD.11/A/780

Schedule 1

(Building to which this notice relates)

3 Park Street, Taunton shown edged red on the attached plan.

Schedule 2

(Alleged contravention of listed building control)

The installation of UPVC double-glazed replacement windows to the openings on the rear elevation of the property.

Schedule 3

(Steps required to be taken)

Remove the unauthorised UPVC double-glazed windows on the rear elevation of the property in their entirety and replace them with timber, single glazed, vertically sliding sash windows, operated by traditional weights and cords with putty fixed glass, to a design and with details to be approved by the Local Planning Authority, and installed with workmanship to bring the property back to the situation which existed prior to the fitting of the unauthorised windows.

Annex

Statement of reasons why the Council consider it expedient to issue the notice

The replacement UPVC double-glazed windows on the rear elevation of the property are, by reason of the materials used, their construction and method of opening, constitute poor representations of the original single glazed sash windows and, as such, are detrimental to the character of this Grade II listed building, contrary to national guidance contained in Planning Policy Guidance Note No 15, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies EN16 and EN17 of the Taunton Deane Local Plan.



ENFORCEMENT NOTICE
Reference No. E87/38/2003
Scale NTS.