

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**Planning (Listed Building and Conservation Areas) Act 1990, Section 38**

**ENFORCEMENT NOTICE – Listed Building**

**ISSUED BY:** NORTH EAST LINCOLNSHIRE COUNCIL

1. The Council is the local planning authority for the purposes of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") in relation to the following building: Cherry Tree Cottage, Main Road, Hatcliffe, Grimsby, North East Lincolnshire, DN37 0SL ("the Building") shown for identification purposes only red on the attached plan.

2. THE LAND AFFECTED

The Building is included within a list of buildings of special architectural or historic interest compiled or approved under section 1 of the Act.

3. BREACHES OF LISTED BUILDING CONTROL

The unauthorised wood grain PVCu window installation without listed building consent inserted at the Front ground floor gable elevation (window 1). Also, on the front gable elevation the attic window has been replaced with a wood grain PVCu casement style window (window 2). Also south elevation the window has been replaced with a timber standard joinery casement window (window 3).

4. REASONS FOR ISSUING THIS NOTICE

The windows installed by reason of the design and materials used, are out of character with, and detrimental to, the appearance of this Grade II Listed Building. The Council considers that listed building consent should not be granted for the works.

The Council considers that it is expedient to issue this Notice having regard to the effect of the Works on the character of the building as one of special architectural or historic interest.

It is contrary to the Local Development Plan Policies: BH5, BH8, and National Planning Policy Statement 5.

## 5. WHAT YOU ARE REQUIRED TO DO

### A) Window 1, shown orange on the attached drawing A.

#### Breach:

Ground floor window replaced with a flush fitting wood grain PVCu casement style window. List description states the original was a 4 pane sash beneath timber lintel.

#### To do:

Replace PVCu wood grain casement window with a painted timber single glazed traditional box vertical sliding sash window, recessed into the opening by at least 10cm and no more than 12cm and having traditional weights and not spring or spiral balance sashes.

### **Specification for Replacement Window Front (Gable) Elevation – Ground Floor:**

- Form: Traditional double hung vertical sliding sash window and cill.
- Appearance: Fully recessed (by 10cm) box frame containing traditional lead weights and sash cords (not spiral or spring balance). Upper and lower sashes each contain 2 panes of glass separated by a vertical timber glazing bar. Meeting rails are to be no more than 28mm in height with a bevel-rebated meeting rail. Bottom Rail is to be 65mm high and top rail is to be 40mm (as viewed externally when window is closed). The new cill shall be of traditional detail which is not to extend beyond the window opening. The cill shall have a nose measurement of 55mm.
- Construction: Pitch Pine throughout using traditional joints, single glazing, brass sash pulley wheels and traditional fasteners. Meeting rail joints shall be a dovetailed bridle joint. Bottom and top rails joints are to be mortise and tenon with a locking dowel joint. Single glazing without any trickle vents is required and all new glass shall be fixed using sprig and putty externally.
- Profile: Glazing bar profile is to be 20mm in width in Lamb's tongue moulding.
- Finish: Exterior to be finished in full gloss paint – colour Black. Internal finish to be painted (not stained) to suit interior décor (own choice).
- All window linings where original are to be retained and made good with matching details in timber. Where these have been removed new timber window cills will be needed.

### B) Window 2, shown blue on the attached drawing A..

#### Breach:

Attic window replaced with a flush fitting wood grain PVCu casement style window. List description states the original was an attic sliding sash.

#### To do:



Replace PVCu wood grain casement with a painted timber single glazed tradition horizontal sliding sash window with a flush fitting frame.

**Specification for Replacement Window Front (Gable) Elevation – Attic:**

- Form: Traditional horizontal sliding sash window.
- Appearance: Flush fitting frame with one fixed sash (right hand side as viewed from the street) and one sliding sash set within a frame having a top and bottom rail of 50mm. The vertical meeting rail shall be 28mm wide (as viewed across the front of the window from the road). Each sash contains three panes divided horizontally separated by two glazing bars. Glazing bars shall line through visually from fixed sash to sliding sash. A new narrow cill is an integral element of the frame and a separate cill is not needed.
- Construction: Pitch pine construction throughout using traditional joints, single glazing and traditional fasteners. The cill projects by no more than 30mm from the front of the window opening. Joints to the frame and the sashes shall be mortise and tenon joints with locking dowel detail. The external box frame is a narrow profile with a width (as measured across the front face of the window externally) of no more than 50mm. Single glazing without any trickle vents is required and all new glass shall be fixed using sprig and putty externally.
- Profile: Glazing bar profile is to be 20mm in width in Lamb's tongue moulding.
- Finish: Finish: Exterior to be finished in full gloss paint – colour Black. Internal finish to be painted (not stained) to suit interior décor (own choice).
- All window linings where original are to be retained and made good with matching details in timber. Where these have been removed new timber window cills will be needed.

C) Window 3, shown green on the attached drawing A.

Breach:

Side window replaced with a timber standard joinery casement window. List description states a 4 pane sash beneath timber lintel.

To do:

Replace timber standard joinery casement window with a painted timber single glazed traditional box vertical sliding sash window, recessed into the opening by at least 10cm and no more than 12cm and having traditional weights and not spring or spiral balance sashes.

**Specification for Replacement Window (Side – south elevation)  
Elevation – Ground Floor:**

- Form: Traditional double hung vertical sliding sash window and cill.
- Appearance: Fully recessed (10cm) box frame containing traditional lead weights and sash cords (not spiral or spring balance). Upper and lower sashes each contain 2 panes of glass separated by a vertical timber glazing bar. Meeting rails are to be no more than 28mm in height with a bevel-rebated meeting rail. Bottom Rail is to be 65mm

high and top rail is to be 40mm (as viewed externally when window is closed). The new cill shall be of traditional detail which is not to extend beyond the window opening. The cill shall have a nose measurement of 55mm.

- Construction: Pitch Pine throughout using traditional joints, single glazing, brass sash pulley wheels and traditional fasteners. Meeting rail joints shall be a dovetailed bridle joint. Bottom and top rails joints are to be mortise and tenon with a locking dowel joint. Single glazing without any trickle vents is required and all new glass shall be fixed using sprig and putty externally.
- Profile: Glazing bar profile is to be 20mm in width in Lamb's tongue moulding.
- Finish: Exterior to be finished in full gloss paint – colour Black. Internal finish to be painted (not stained) to suit interior décor (own choice).
- All window linings where original are to be retained and made good with matching details in timber. Where these have been removed new timber window cills will be needed.

6. TIME FOR COMPLIANCE

124 days (4 months) after this Notice takes effect. (16TH SEPTEMBER 2011)


7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 14TH MAY 2011 unless an appeal is made against it beforehand.

Dated:

14TH APRIL 2011

Signed:



R. Walsh  
Executive Director of Business Services  
North East Lincolnshire Borough Council  
Municipal Offices  
Town Hall Square  
Grimsby  
DN31 1HU

## **ANNEX**

### **YOUR RIGHT OF APPEAL**

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of this notice. The Planning Inspectorate information sheet, which is included with this Notice, will give you the information needed to enable you to submit your Appeal. Please read it carefully.

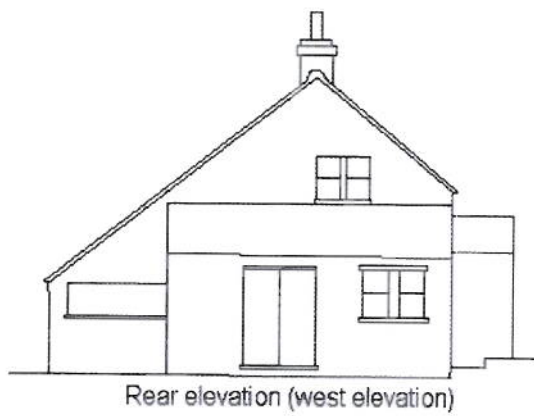
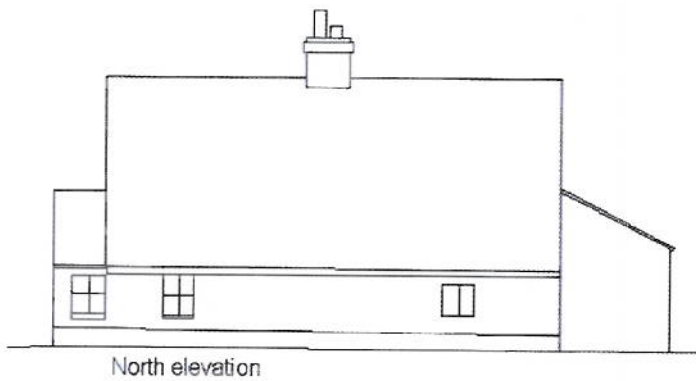
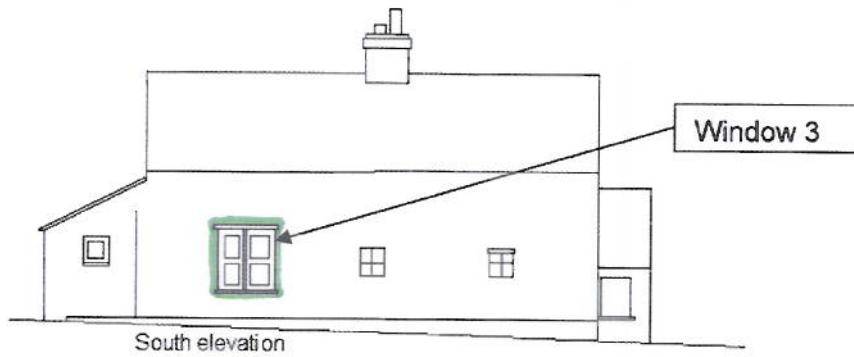
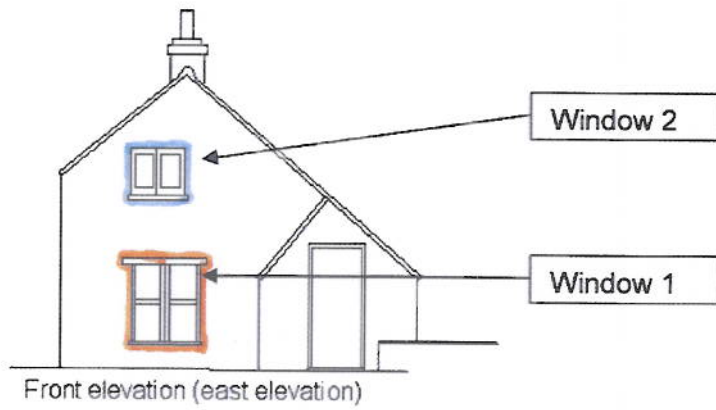
**Please note, you MUST make sure that the Planning Inspectorate receives your appeal before the effective date on the Enforcement Notice.**

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

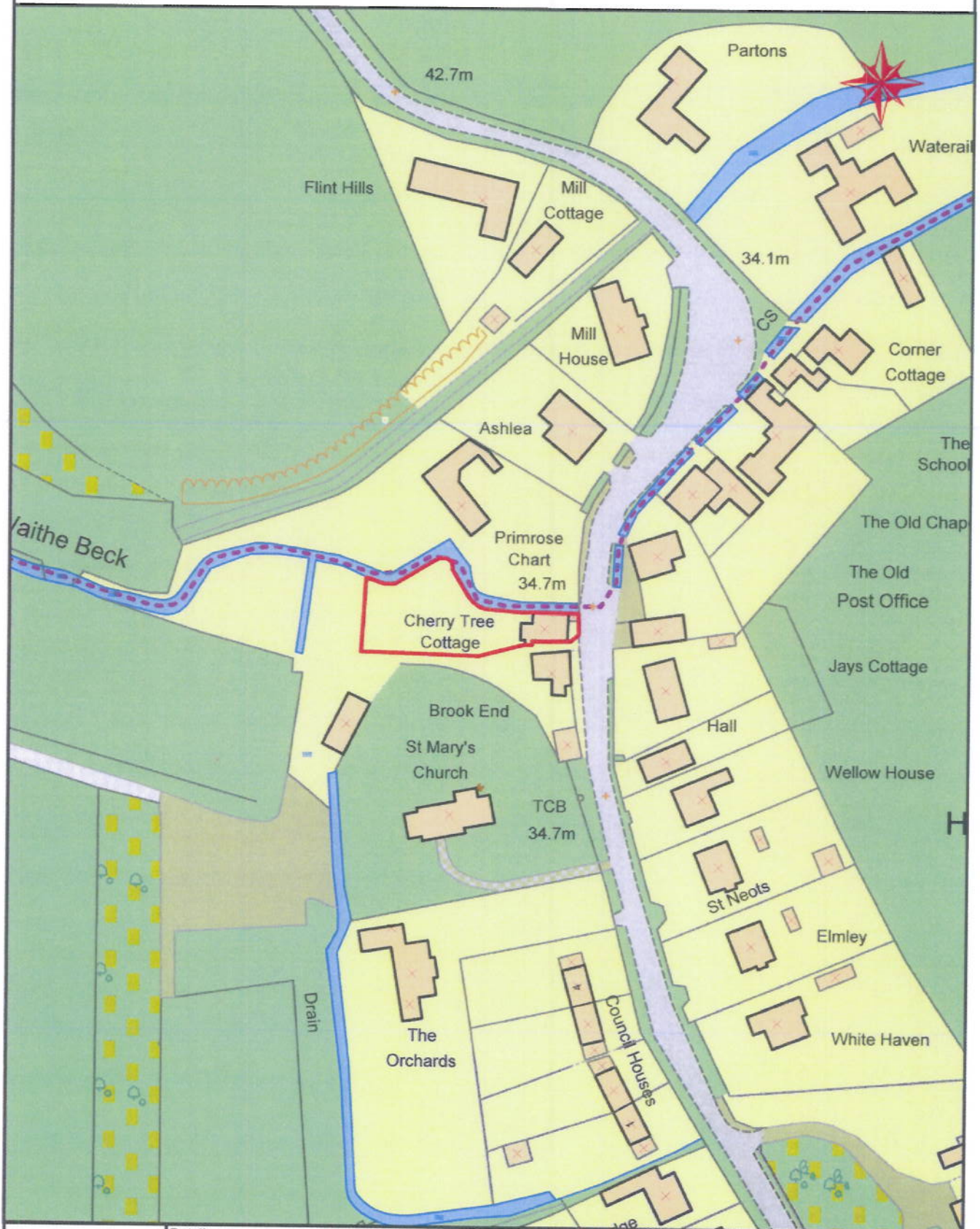
If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of this notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.



## Drawing A.



# Cherry Tree Cottage, Hatcliffe. Location Map



<b>Details</b> Plotting in MapInfo made easier			Rev No.		© Crown copyright. All rights reserved www 5L 2000	
Drawn by chaplin	Scale 1:1250	Date 30/03/2011			Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF	
File Pathname / Project / Drawing No.					<a href="http://www.aligned-assets.co.uk">www.aligned-assets.co.uk</a>	