



Leeds
CITY COUNCIL

Originator: Susie Watson

Tel: 2224409

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26 November 2009

Subject: 22 SHIRE OAK ROAD, HEADINGLEY – UPDATE ON ENFORCEMENT MATTERS.

Electoral Wards Affected:

Headingley



Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION:

For Members to note the contents of this report and to comment on key issues raised.

1.0 INTRODUCTION:

- 1.1 Members will recall that two applications relating to 22 Shire Oak Road were reported at the last Plans Panel Meeting on 29 October. These applications sought planning permission and listed building consent for the conversion of the east wing of the property to a 1-bedroom flat and were approved. As part of the deliberations it was brought to the attention of Members that a number of unauthorised works had taken place to the buildings and outstanding enforcement issues remained. Members requested that this issue be fully explored with a report presented at the following Plans Panel meeting. The purposed of this report is to therefore provide Members with an update on these issues.

- 1.2 After investigation it appears that the following unauthorised works have taken place:
- The insertion of rooflights in the front and rear roof slope.
 - The insertion of a dormer window in the front roof slope.
 - Removal of ground floor window and insertion of French doors adjacent to single storey east wing.
 - Removal of the external staircase and viewing platform to the coach house.
 - The demolition of the arcaded wall running along the driveway to the north side of the main house.
 - The demolition of the gateposts at the pedestrian entrance.
 - Tree removal.
- 1.2 It is also evident that to the west of the main house lies a curved wall, steps and a summer house, which are also listed in their own right. The summer house is currently in a poor state of repair and essential works are required to ensure that the building is repaired and reinstated to a satisfactory condition. The curved wall contains stone seating and one of the sections has been badly damaged and in need of repair. Again, it is necessary to take appropriate action to ensure that necessary and urgent repair works are undertaken.
- 1.3 It is considered that both the neglect and the unauthorised works mentioned are harmful to such important buildings and the walled structure which are of special character. The unauthorised works are deemed to be harmful as they alter the external appearance of these building and clearly cause harm to their architectural and historic character. It is therefore expedient that appropriate enforcement action is taken.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site lies within the urban area of Headingley within the Headingley Conservation Area. The site comprises of a substantial detached building (constructed in the 1890's) together with two associated outbuildings. The dwelling is Grade II listed 1893 villa, and of red brick construction with a stone slate roof. It is 2.5 storeys in height (plus cellar) and of an irregular shape with a steeply pitched roof. On the eastern side of the dwelling lies a single storey wing. Access to the property is provided via a long drive leading from Shire Oak Road which provides access to all sides of the building.
- 2.2 The larger of the outbuildings in the grounds is a 2 storey mock Tudor 'coach house' which has a flat at first floor level. This property contains garaging / storage areas at ground floor level with a flat over. This is currently unoccupied. This particular building originally had an external staircase on its west elevation. This had been neglected over the years and had fallen into a derelict state and earlier this year the owner removed it and started to build a new staircase.
- 2.3 To the west of the main house lies walls, steps and a summer house dating from 1893. These are listed in their own right. Unfortunately the summer house is now in a derelict state and the walling in front of the north side of the house, which was arcaded, has been demolished in recent times.

3.0 MAIN ISSUES

- Relevant Listed Building Legislation.
- Alleged unauthorised works and enforcement matters and the affect on the character of the listed buildings.
- Proposed remedial action.

4.0 RELEVANT LISTED BUILDING LEGISLATION

- 4.1 Unauthorised works to a listed building is an offence under Section 9 of the Planning (Listed Building and Conservation Areas) Act, 1990.

It is criminal offence to undertake any works for the demolition of a listed building, or for its alteration or extension in a manner which would affect its character as a building of special architectural or historic interest, for which listed building consent has not been granted. Offenders, which can include owners and builders, may be liable to a term of imprisonment or a fine, or both. Consideration must therefore be given as to whether or not a prosecution should be pursued independently of any other action.

- 4.2 The Council can also serve an Enforcement Notice in respect of unauthorised works, specifying the contravention and detailing the steps needed to restore the building to its former state. In relation to the building (Summerhouse) and the adjacent walling, where the neglect has occurred, it is considered that a Section 215 Notice could also be served to ensure the necessary remedial action is carried out.

5.0 PROPOSED REMEDIAL ACTION

- 5.1 Since the last meeting the planning officer has met with colleagues in Conservation, Planning Compliance and Legal and the following notices have been prepared.

- 5.2 Listed Building Notice requiring:

- The removal of the nine roof lights inserted in the front roof pitch of the main house and the making good of the associated holes in the roof, including replacing the rafters, felt and laths and the laying of replacement stone slates to match those existing.
- The removal of the six roof lights inserted in the rear roof pitch of the main house and the making good of the associated holes in the roof, including replacing the rafters, felt and laths and the laying of replacement stone slates to match those existing.
- The removal of the dormer window inserted in the front roof pitch and the making good of the associated opening in the roof, including replacing the rafters, felt and laths and the laying of replacement stone slates to match those existing. The reinstated roof slope may include a small access hatch sited low down (so it is concealed by the existing central balustrade) to provide maintenance access to the roof.
- The removal of the French doors inserted in the rear ground floor of the main house where it adjoins the single storey east wing and its replacement with a window and bricks to match those existing. The original string course shall be reinstated and a timber window inserted with a central glazing bar, to match the window at the top of the external basement stairs on the opposite side of the east wing.

5.3 Listed Building Notice requiring:

- The removal of the breeze block and brick walls constructed on the west elevation of the coach house and the reinstatement of the timber staircase and belvedere together with the pitched brick and timber curtain wall of the same size, design, materials and in the same position as the original staircase.

5.4 Listed Building Notice requiring:

- The arcaded wall and associated steps and pillars to be reinstated, utilising where possible the original bricks and stone copings and steps. Where new materials are required they should match the originals in terms of type, colour, size and materials.

5.5 Listed Building Notice requiring:

- The rebuilding of the original pedestrian gateway utilising the original materials which are on site. Where new materials are required they should match the originals in terms of type, colour, size and materials.

5.6 Tree Replacement Notice.

- Legal advice is awaited with regard to this matter and whether or not such a notice can be served.

5.6.1 Section 215 (Untidy Land) Notice requiring: (Relating to the Summerhouse and the adjacent stone walling)

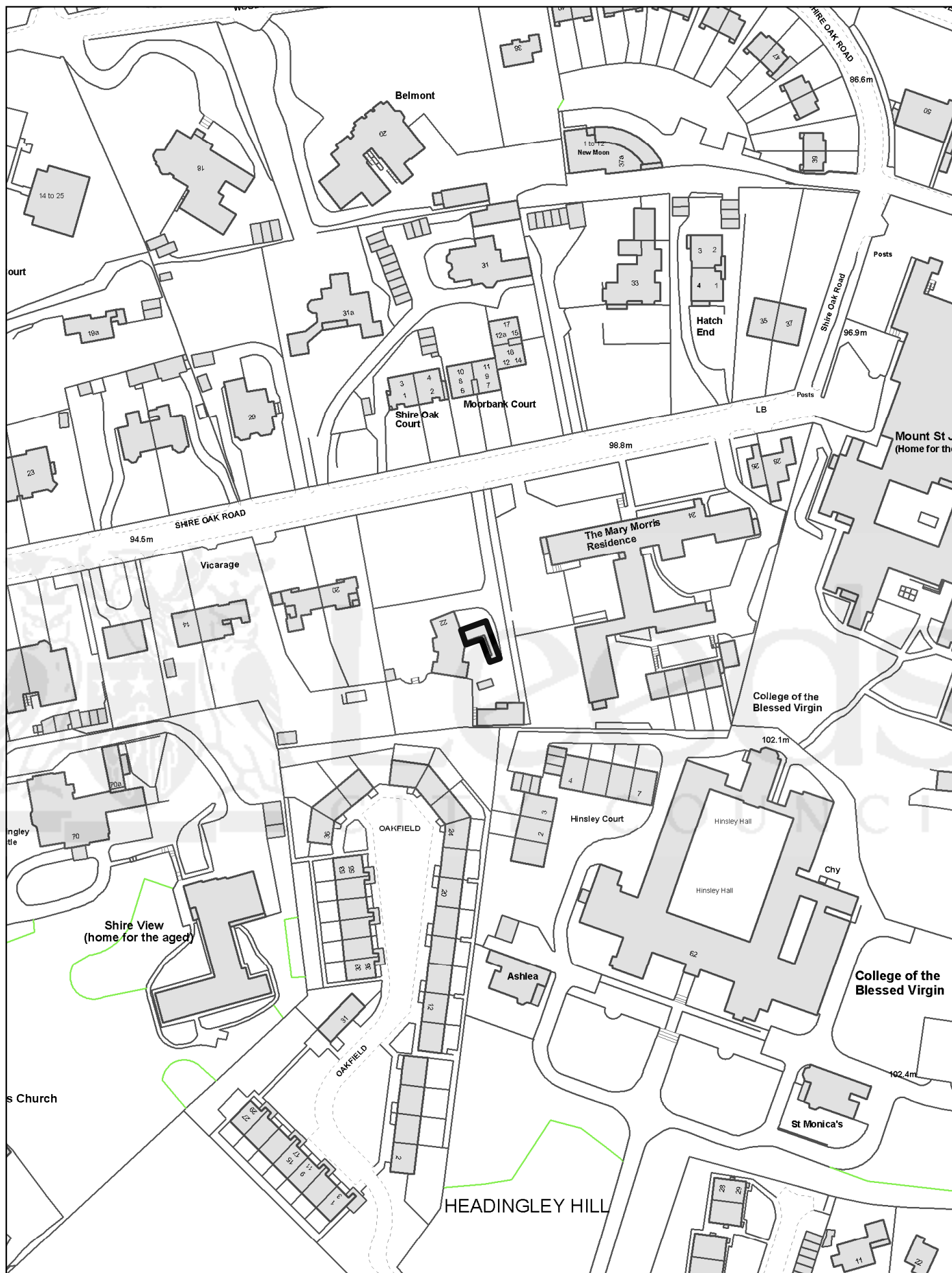
- Repair or replace roof timbers, laths and plaster as necessary.
- Recover the Queen Anne style roof in either lead sheeting or dark coloured felt.
- Repair and refit the original apex finial, or if unavailable, replace with a replica.
- Repair or replace the flashings to the roof covering.
- Repair or replace the gutters and rainwater goods in timber or metal, including suitable treatment and to be painted black.
- Repair or replace and treat as necessary the floor timbers and joists. Any replacements should match the existing in size, design and materials.
- Repair or restore as necessary the original timber benches.
- Repair and restore as necessary all 3 Malins stained glass windows and frames.
- Repair, restore and reinstate the original timber entrance door or provide a replica door.
- Restore the stone seating to the curved wall to match the original

5.7 At the time of writing this report all relevant notices have been prepared. Members will be informed at the Panel meeting of the date these notices were served.

Background Papers:

Application and history files.

Certificate of Ownership.



WEST PLANS PANEL



Scale 1/ 1500

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