

E/09/0184/A

13. E/09/0184/A – Unauthorised display of advertisements at Barlicious, 55 South Street, Bishops Stortford, Herts, CM23 3AL

Parish: BISHOP'S STORTFORD

Ward: BISHOP'S STORTFORD - CENTRAL

RECOMMENDATION

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to commence legal proceedings under Section 224 of the Town and Country Planning Act 1990 and any such other steps as may be required to secure the removal of the unauthorised advertisements at the site.

Period for compliance: 1 Month

Reasons why it is expedient to instigate legal proceedings:

The advertisements by reason of their size, siting, design and materials of construction are out of keeping with and detrimental to the character and appearance of the Conservation Area, contrary to policy BH15 of the East Herts Local Plan Second Review April 2007.

_____ (018409A.PD)

1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. The property is sited within the Bishops Stortford Conservation Area on South Road close to the junction of Newtown Road and Station Road.
- 1.2 It was brought to the attention of the Council in April 2009 that the owner of the property had erected externally illuminated signage at the address without advertisement consent.
- 1.3 On the 18th May 2009, a letter was sent to the owner, following a visit to the site, explaining that advertisement consent would be required for the unauthorised signage.
- 1.4 On the 11th June 2009 a retrospective application for the signage was submitted under reference 3/09/0886/AD and after due consideration was refused consent on the 16th September 2009 for the following reason:

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The proposed advertisements by reason of their size, siting, design and materials of construction would be out of keeping with and detrimental to the character and appearance of the Conservation Area contrary to policy BH15 of the East Herts Local Plan Second Review 2007.

1.5 Photographs of the site will be available at the meeting.

2.0 Planning History

2.1 The recent planning history is as follows:-

| | | |
|--------------|--|--------------------------|
| 3/09/0886/AD | Two illuminated vertical banner and one Illuminated fascia board (Retrospective) | Refused |
| 3/09/1067/FP | Change of use from A3 (restaurant) to A4 (bar) (Retrospective) | Approved with conditions |
| 3/07/1147/FP | Change of use of ground floor from A3 (restaurant) to A4 (bar) | Approved with conditions |
| 3/04/2392/AD | 2 restaurant signs, illuminated | Refused |

3.0 Policy

3.1 The relevant policies of the East Herts Local Plan Second Review April 2007 are :-

- BH15 – Advertisements in Conservation Areas

4.0 Considerations

4.1 The determining issues in this case relate to the impact of the advertisements on the character and appearance of the town's Conservation Area.

4.2 The general requirements of policy BH15 are to ensure that a high quality environment is maintained within the Conservation Area which is not compromised by the introduction of indiscriminate or unsympathetic signage. The policy states that advertisements will only be permitted where they:

- Are either painted or individually lettered in a suitable material of an appropriate size and design in relation to the building
- Illumination should be discreet in size and of a minimal level

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- In a form that shall be of a traditional fascia or hanging type
- Be of an appropriate size necessary to convey their message.

4.3 In this case, the siting of the banner signs at a higher level than the existing shop frontages at ground floor level, within the middle section of the building and combined with their size, scale and materials of construction renders the advertisements unduly prominent and visually intrusive in their surroundings and as such they are harmful to the appearance of the Conservation Area, and fail to comply with policy BH15 of the Local Plan.

5.0 Recommendations

5.1 For the above reasons it is recommended that authorisation be given to commence legal proceedings and any such other steps as may be required to secure the removal of the unauthorised advertisements at the site