

**5o E/10/0015/B - Unauthorised stainless steel extraction flue and unauthorised illuminated signage at 5 Ware Road, Hertford, SG13 7DY.**

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**Parish: HERTFORD**

**Ward: HERTFORD CASTLE WARD.**

**RECOMMENDATION**

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Sections 172 and 224 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised advertisements and development from the land.

Period for compliance: 28 days.

Reasons why it is expedient to issue an enforcement notice and/or commence legal proceedings:

1. The site lies within the Conservation Area of Hertford as defined in the East Hertfordshire Local Plan Second Review April 2007, wherein there is a presumption against development inappropriate to the character and appearance of the area. The extraction flue, by reason of its scale, height, proportions, form, materials and siting in relation to the building itself, adjacent buildings and the general character and appearance of the area on this building is contrary to saved policies BH5 and BH6 of the East Hertfordshire Local Plan Second Review April 2007.
2. The unauthorised signage and the associated light fittings are out of keeping with and detrimental to the character and appearance of the surrounding Conservation Area and the perceptions of the locality as a historic town and shopping centre, contrary to saved policy BH15 of the East Hertfordshire Local Plan Second Review April 2007.

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**1.0 Background**

- 1.1 The property is located on the north side of Ware Road, Hertford, just outside the town centre being opposite Baker Street. The site is within the Conservation Area of Hertford.
- 1.2 Concerns were expressed to this local planning authority in January 2010 in respect of new illuminated signage on the frontage of the site. During these investigations it also appeared that an original extraction flue at the rear of

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the property had been replaced by a new flue, sited differently to the original.

- 1.3 Following a meeting on site in January 2010 officers advised the owner by letter that some of the signage at the site could be displayed with deemed consent; however the illuminated fascia and projecting signage required express consent which had not been sought or granted. Officers also advised the owner that planning permission would be required for the new extraction flue at the rear of the property.
- 1.4 As at the time of writing this report there is no evidence of the submission of applications for either planning permission or advertisement consent.
- 1.5 Photographs of the extraction flue and signage will be available at the Committee meeting.

### **2.0 Planning History**

- 2.1 The most recent planning history for the site can be summarised as follows:-

3/01/1010/FP - Variation of condition 4 of 3/0347/91 to allow use as take-away.  
Granted

3/03/14455/FP Conversion from 5 bed sits to 2 residential units.  
Granted

### **3.0 Policy**

- 3.1 The relevant saved policies of the adopted local Plan in this matter are:-

BH5 Extensions and alterations to unlisted buildings in Conservation Areas

BH6 New Developments in Conservation Areas.

BH15 Advertisements in Conservation Areas.

### **4.0 Considerations**

- 4.1 As previously mentioned, the site is within the Conservation Area of Hertford wherein Local Plan policies are aimed at the preservation or enhancement of its character or appearance. It is considered that the installation of the new flue to the rear of the property is an inappropriate and

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unsympathetic development in terms of its scale, height, proportion, form, materials and siting in relation to the building itself, adjacent buildings and the general character and appearance of the area, contrary to policy BH5 of the East Hertfordshire Local Plan Second Review April 2007.

- 4.2 The unauthorised brightly coloured illuminated plastic signage is considered to be out of keeping with the character and appearance of the building itself and adversely impacts on the historic character and appearance of the surrounding Conservation Area. They are poorly designed and detailed and have been installed without regard for the fine details of the existing shop front and its moulded frame and cornice. The fascia sign is illuminated by a strip light above the sign and the projecting sign is connected to power to enable its illumination. The use of illumination further exacerbates the adverse impact that the signs have on the character and appearance of the area.
- 4.3 The unauthorised signage is therefore considered to be contrary to policy BH15 of the Local Plan and detrimental to the amenity, character and appearance of the surrounding area.

### **5.0 Recommendation**

- 5.1 It is therefore recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised flue and to commence legal proceedings with regard to the unauthorised advertisements.