

**5o E/11/0273/B – Unauthorised attachment and display of advertisements at Prezzo, 17-21 Fore Street, Hertford, Herts. SG14 1DH.**

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**Parish: HERTFORD**

**Ward: HERTFORD CASTLE**

**RECOMMENDATION:**

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 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 from the site.

Period for compliance: 14 days.

Reasons why it is expedient to issue an enforcement notice:

1. The proposed signs, by reason of their size and method of illumination, have a detrimental effect on the street scene, and the character of this part of the Conservation Area wherein they are situated. If permitted the signage would thereby be contrary to policy BH15 of the East Herts Local Plan Second Review April 2007 and the requirements of Planning Policy Statement 5 – Planning and the Historic Environment.

\_\_\_\_\_ (027311B.PD)

**1.0 Background:**

- 1.1 On the 22<sup>nd</sup> August 2011, concerns were expressed to the Council that the business operating at 17-21 Fore Street, Hertford was displaying advertisements without the necessary consent.
- 1.2 Upon investigation it was found that advertisement consent had been refused for this signage, under reference 3/10/1980/AD, and a subsequent appeal to the Planning Inspectorate dismissed on the 18<sup>th</sup> August 2011.
- 1.3 It was also evident that additional signage in the form of 'menu boards' were being displayed without consent. The company was informed that the unauthorised display of adverts is an offence, and was asked to remove the advertisements.
- 1.4 Following correspondence with the company and their agent, when officers suggested alterations and amendments to overcome the refusal of advertisement consent, it appeared that they were unwilling to amend

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their signage, and the unauthorised advertisements remain in situ.

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

### **2.0 Planning History:**

2.1 There have been various applications for planning permission and advertisement consent in the property's history. The following is considered relevant to this application:

3/10/1927/FP – Alterations to building – Approved 29<sup>th</sup> December 2010.

### **3.0 Policy:**

3.1 Policy BH15 of the East Herts Local Plan Second Review April 2007 and the requirements of Planning Policy Statement 5 – Planning and the Historic Environment are relevant in this case as material consideration.

### **4.0 Considerations:**

- 4.1 The property is a restaurant on a corner site within the town centre of Hertford. Although not a listed building, it is a prominent building within the Conservation Area. An application, reference 3/10/1980/AD, for the retention of a projecting sign located over the fascia on the southeast elevation of the building, and illuminated lettering to the fascias on the southeast and south-west elevations, spelling the restaurant's name, was refused on the 12<sup>th</sup> January 2011. A subsequent appeal was also dismissed and a copy of the inspector's decision letter is attached as Appendix A to this report.
- 4.2 The use of internally illuminated signs and letters is inappropriate within the Conservation Area. Policy BH15 of the Local Plan specifically states that illumination of signs should be discreet in size and at a minimum level. Although the intent of the illumination is to highlight the sign or lettering, the use of internal LED lighting results in a level of illumination substantially brighter than can be found elsewhere in the town centre.
- 4.3 The signs are considered to be inappropriate in the Conservation Area. The size of the lettering exacerbates the extent of illumination by increasing its prominence. It may be the case that the lettering could appear acceptable if it were painted onto the fascia, as the contrast between the black sign and white lettering would appear attractive. However, the combination of size, illumination and projecting letters results in an appearance inappropriate and harmful to the Conservation Area.

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- 4.3 The projecting sign is less harmful. Although there is a large expanse of black space on the sign, with the lettering along the bottom edge, it does not appear unduly large. However, the use of internal illumination is also inappropriate when applied to this sign.
- 4.4 The sign and lettering are, in Officers opinions, therefore harmful to the character of the Conservation Area, and contrary to policy BH15 of the Local Plan and the requirements of national PPS5.
- 4.5 The view was also endorsed by the Planning Inspector in his decision to dismiss the appeal on the 18<sup>th</sup> August 2011.

### **5.0 Recommendation:**

- 5.1 It is therefore recommended that authorisation be given to commence legal proceedings with regard to the unauthorised advertisements.