

5n E/11/0246/A – Unauthorised advertisements displayed on a Grade II listed building without listed building and advertisement consent at 39 Hockerill Street, Bishops Stortford, CM23 2DH

Parish: BISHOP'S STORTFORD

Ward: BISHOP'S STORTFORD MEADS

RECOMMENDATION:

That the Director of Neighbourhood Services in conjunction with the Director of Internal Services, be authorised to commence legal proceedings under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and/or Section 224(3) of the Town and Country Planning Act 1990, for the unauthorised display of advertisements on a Grade II listed building.

Reasons why it is expedient to issue summonses:

1. The fascia signs by reason of their size and siting appear out of keeping with the historic character and appearance of the Grade II listed building; its setting and the visual amenities of the surrounding Conservation Area. They are thereby contrary to Policy BH15 of the East Herts Local Plan Second Review April 2007 and PPS 5: Planning for the Historic Environment.

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1.0 Background:

- 1.1 The site lies within the built up area of Bishop's Stortford and within the Bishop's Stortford Conservation Area. No 39 is a two storey Grade II Listed Building and is currently being used as a hairdressing salon. It fronts onto Hockerill Street and is encompassed by other Listed Buildings.
- 1.2 Concerns were expressed to the local planning authority in August 2011 about three new fascia signs affixed to the central jettied gable at the front of the building, which projects 2.5 metres beyond the front building line of the other properties within Hockerill Street, overhanging the pavement. The signs are attached to the front and flank elevations of this gable and have been designed with a pale blue background with green and red lettering and multiple coloured strips. The three fascia signs reach heights of between 0.5 and 0.6metres. Two of the signs are 1.6metres in width with the third, front fascia sign being 2.2metres in width.

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1.3 Officers advised the owner that listed building consent would be required for the alteration of the building by the addition to the new fascia signs. He was also advised of the offence that was being committed by displaying the signs without the proper consent.

1.4 Subsequent applications for listed building consent, under reference 3/11/1666/LB, and advertisement consent, under reference 3/11/1358/AD, were both refused for the following reasons.

3/11/1666/LB:

- The fascia signs by reason of their size and siting appear out of keeping with and unsympathetic to the character and appearance of the Grade II Listed Building and are harmful to the historic and architectural interest of the building. The fascia signs are thereby contrary to PPS5: Planning for the Historic Environment.

3/11/1358/AD:

- The fascia signs by reason of their size and siting appear out of keeping with and detrimental to the setting of the Grade II Listed Building and the visual amenities of the surrounding Conservation Area. They are thereby contrary to Policy BH15 of the East Herts Local Plan Second Review April 2007 and PPS5: Planning for the Historic Environment.

1.5 Your officers advised the owner, following the above-mentioned refusals of his right to appeal the decisions and they also sought the owner's proposal and timescales for the removal the unauthorised signage or the submission of any appeal. No response was received.

2.0 Planning History:

2.1 LPA refs. 3/10/0918/LB and 3/10/1403/AD – retrospective advertisement and listed building consent refused and dismissed at appeal for the erection of 3No. non-illuminated fascia signs

2.2 LPA refs. 3/04/0651/AD and 3/04/0736/LB – applications withdrawn by applicant for 3 No. advertisement signs.

2.3 LPA refs. 3/04/2102/LB and 3/04/2141/AD - advertisement and listed building consent granted for the erection of 3No. non-illuminated fascia signs.

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3.0 Policy:

- 3.1 BH15 of the East Herts Local Plan Second Review April 2007 is relevant in this case, together with national planning guidance in PPS5: Planning for the Historic Environment.

4.0 Considerations:

- 4.1 The existing signs were erected without the required advertisement and listed building consents. It should be noted that advertisement and listed building consents were refused in 2010 for similar signs. A subsequent appeal was dismissed and this became a material consideration when considering the recent applications. A copy of the appeal decision is attached as Appendix A to this report.
- 4.2 The current signs attached to the front of the building are slightly smaller than the previously refused fascia signs but are sited in the same location. The Council's Conservation Officer recommended refusal of the retrospective applications as it was considered that the signs have a detrimental impact on the listed building and its wider setting. In accordance with the Conservation Officer's objection and the Inspectors decision on the previously erected fascia signs, Officers consider that the three fascia signs currently displayed are of a size and siting that detract from and dominate this central gable structure, which is considered an important feature of this historic building.
- 4.3 The fascia signs that have been erected are made of timber and have been hand painted. It is noted that the Conservation Officer considers that the timber signs and hand painted signs are of an acceptable material, suitable to the character and appearance of the Listed Building.
- 4.4 However, the signs that have been erected are larger than those that were approved in 2004 and do not sit comfortably in relation to the fenestration on the existing building but appear visually prominent. In this respect, the fascia signs have a detrimental impact upon the character, appearance and setting of this Grade II Listed property and harm its special interest as a listed property. The advertisements therefore fail to accord with the requirements of PPS5: Planning for the Historic Environment and do not overcome the LPA's or the Inspector's previous concerns.

5.0 Recommendation:

- 5.1 It is therefore considered that the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to issue

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summonses for the offences under the listed building and advertisement regulations.