

5o E/10/0269/B - Unauthorised attachment and display of advertisements on a listed building at Money Matters Worldwide, 8 Market Place, Hertford, SG14 1DF

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 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the removal of the unauthorised advertisements from the land.

Period for compliance: 14 days.

Reasons why it is expedient to issue an enforcement notice:

1. The advertisements attached to both the exterior and interior of the building are detrimental to the historic character and appearance of the Listed Building, a designated heritage asset. The unauthorised advertisements are therefore contrary to policy HE9 of PPS5.

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1.0 Background

- 1.1 The site is shown on the attached OS extract. It lies on the northern side of Market Place opposite Shire Hall. The site, a Grade II listed building, is situated within the Conservation Area of Hertford as defined within the East Herts Local Plan Second Review April 2007.
- 1.2 In July 2010 a concern was expressed to the Authority that the site, a former adult underwear and goods shop, was displaying new and inappropriate signage.
- 1.3 The enforcement officer visited the site, noting that the lower third of the shop window had a bright red plastic strip stuck to it bearing the words "We Buy Gold" and a company logo in yellow thereon. There was also a blue plastic sign, bearing the words "Bureau De Change" in white, covering the lower portion of the glazed element of the front door. Three further advertising boards had also been attached to the building, just inside the window, thereby increasing the advertisement clutter and reducing views within the listed building.

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- 1.4 Enforcement and conservation officers' consider that whilst the advertisements may benefit from deemed consent under the terms of the Advertisement Regulations, listed building consent is required for the alteration to the building.
- 1.5 The enforcement officer contacted the owner and met him on site on 14th September 2010. The owner stated that he considered the advertisements to be essential to his business and that it was his intention to submit a retrospective application.
- 1.6 The enforcement officer wrote to the owner later that day explaining that officers' took the view that listed building consent was unlikely to be granted and advised him to speak to one of the Authority's duty conservation officers.
- 1.7 The officer also requested the owner to either submit an application seeking to regularise the signage or to remove it within 28 days. He added that otherwise officers would have to consider referring the matter to the Development Control Committee.
- 1.8 To date no communication or application has been received by the Council and the advertisements are still being displayed.
- 1.9 A photograph of the site will be available at the meeting.

2.0 Planning History

- 2.1 There is no recent relevant planning history for the site.

3.0 Policy

- 3.1 The relevant policy in this matter is policy HE9 of PPS5.

4.0 Considerations

- 4.1 The property is a Grade II listed building sited within the Conservation Area of Hertford. Officers consider that the advertisements displayed at the site, with the exception of the fascia sign, do not positively contribute to the designated heritage asset, or to the wider conservation area, and that they have a harmful effect upon them both.
- 4.2 Officers have weighed any possible public benefit of the works but do not consider that this outweighs the harm to the listed building or to the conservation area.

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5.0 Recommendation

It is therefore recommended that authorisation be given to issue and serve a Listed Building Enforcement Notice requiring the removal of the unauthorised works from the land and the restoration of the building to its former condition.