

51 E/10/0415/A – Unauthorised installation of green telecommunications equipment cabinet on a concrete plinth outside The Granary, Windhill, Bishops Stortford, CM23 2ND

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD - SILVERLEYS

RECOMMENDATION

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

Period for compliance: 2 months

Reason why it is expedient to issue an enforcement notice:

The cabinet by reason of its siting and appearance appears as a prominent addition to the street scene and intrudes into the historic streetscape to the detriment of the visual amenities, character and appearance of the street scene and the character and appearance of the Bishops Stortford Conservation Area wherein the site is located. The development is thereby contrary to Policy ENV28 and BH6 of the East Herts Local Plan Second Review April 2007.

_____ (041510A.PD)

1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located on the southern side of Windhill, close to the junction of Bells Hill which is located to the west of the main town. The site is also within the Conservation Area of Bishops Stortford, and Windhill itself contains a number of listed buildings.
- 1.2 An application was submitted on the 8th October 2010 under reference 3/10/1788/PT for Prior Approval for a telecommunications equipment cabinet on the site. However, it is noted that the cabinet was erected prior to the Planning Officer making their site visit in relation to the application on the 21 October 2010.

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1.3 On the 1 December 2010 it was determined that Prior Approval was required for the siting and design of the cabinet. However, having considered the merits of the application the proposal was refused permission for the following reason:-

1. The proposed cabinet by reason of its siting and appearance would appear as a prominent addition to the street scene and would intrude into the historic streetscape to the detriment of the visual amenities, character and appearance of the street scene and the character and appearance of the Bishops Stortford Conservation area wherein the site is located. The proposal would thereby be contrary to Policies ENV28 and BH6 of the East Herts local Plan Second review April 2007.

2.0 Planning History

2.1 The recent relevant planning history is as follows: -

3/10/1788/FP	Green telecommunications equipment cabinet on concrete plinth.	Refused
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3.0 Policy

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

- ENV28 – Telecommunications
- BH6 – New Developments in Conservation Areas

4.0 Considerations.

4.1 The determining issues in this case relate to the impact of the development on the appearance of the surrounding street scene and Conservation Area.

4.2 This application sought prior approval for the erection of a telecommunications cabinet to provide 'super fast broadband' in the locality. The telecommunications cabinet is sited within the built up area of Bishop's Stortford, and also within the Bishop's Stortford Conservation Area where in principle there is no objection to development. The cabinet is over 5 metres back from the highway, and has a height of 1.6 metres, a footprint of 0.54m² and is green in colour.

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- 4.3 However, it is considered that the cabinet has a harmful impact upon the character and appearance of the locality. It is sited approximately 4 metres away from three existing green telecommunications cabinets, which are grouped together and sited in front of green landscaping which mitigates their impact upon the character and appearance of the locality. In contrast, the unauthorised cabinet is located in front of a 2 metre high red brick wall and therefore appears as a prominent addition to the street scene and intrudes into the historic streetscape. The cabinet is therefore considered to be to the detriment of the visual amenities, character and appearance of the street scene.

5.0 Recommendation

- 5.1 For the above reasons it is recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised telecommunications cabinet.