

**5u E/10/0397/A - Unauthorised attachment and display of an advertising fascia sign on a Grade II Listed Building at 4 High Street, Buntingford, SG9 9AG**

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**Parish: BUNTINGFORD**

**Ward: BUNTINGFORD**

**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 advertisement from the land.

Period for compliance: 1 month

Reasons why it is expedient to issue an enforcement notice:

1. The advertisement, by reason of its size, design and materials of construction, is detrimental to the historic and architectural character and appearance of this Grade II listed building and its setting within the Conservation Area. It is thereby 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 eastern side of the High Street, opposite The Manor House. The site, a Grade II listed building, is situated within the Conservation Area of Buntingford as defined within the East Herts Local Plan Second Review April 2007.
- 1.2 In November 2010 concerns were expressed to the Authority that the site, a hairdressers business, was displaying new illuminated and inappropriate signage.
- 1.3 The enforcement officer visited the site, photographed the signage and subsequently wrote to the proprietor advising her that the signage required listed building and advertisement consent and seeking contact within 14 days to arrange a mutually convenient appointment to meet on site.
- 1.4 On the 30<sup>th</sup> November 2010, an enforcement officer received a call from the owner of the business who stated that she had submitted

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applications to the Council; however, there is no evidence of the receipt of such applications.

1.5 A further visit was made to the site on the 3<sup>rd</sup> March 2011 when it was noted that the illumination had been turned off. However, it was agreed, and confirmed in writing, that the current signage may not receive the appropriate consents and she should consider replacing the signage with something similar in size and materials to the signage previously displayed and appropriate to a listed building and within the Conservation Area. She was advised to seek the advice of the Council's conservation officers at one of their open surgeries. By the end of March 2011, there was no evidence of the submission of any applications for listed building or advertisement consent and a further letter was sent on the 28<sup>th</sup> March 2011 seeking a response by return. As at the 26<sup>th</sup> April 2011, the Council had received no response or submission of applications.

1.6 Photographs of the site and signage 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 determining issue in this case relates to the impact of the unauthorised advertising sign on the historic character and appearance of the Grade II listed building. In this respect, policy HE9 of PPS5 is relevant.

4.2 PPS5 requires that development to a listed building should only be permitted when the character and appearance, or setting, of the building would be preserved or enhanced. It is considered that the appearance of the sign in this case detracts from the historic character, appearance and setting of this listed building.

4.3 PPS5 also states that advertisements should only be acceptable within Conservation Areas where they pass a four-part test. It is the view of officers that this signage fails the first, third and fourth parts of this test in that:

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- the advertisement is not of made of appropriate material and is not of an appropriate size and design in relation to the building;
- the sign is not of a traditional fascia or hanging type and;
- the sign exceeds the size necessary to convey its message.

4.4 Officers consider that this unauthorised signage is of an inappropriate design that fails to respect the historic character and appearance of this simple listed building. It dominates the front elevation of the building and appears prominent and intrusive within the street scene and the surrounding Conservation Area. Whilst the illumination is not currently in use, Officers consider the advertisement, in any event, to be unacceptable in terms of its size, design and materials.

### **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 signage from the listed property.