

E/0040/38/14

UNAUTHORISED ILLUMINATED SIGN AT 21 EAST STREET, TAUNTON

OCCUPIER:

OWNER: THE OWNER AND/OR OCCUPIER
21 EAST STREET, TAUNTON, TA1 3LP

PURPOSE OF REPORT

To consider whether it is expedient to take Listed Building Enforcement Action to remove the unauthorised trough lighting and take Prosecution Action over the unauthorised trough lighting to the fascia sign at 21 East Street, Taunton.

RECOMMENDATION

The Solicitor to the Council be authorised to take Prosecution Action:-

- Prosecution Action for the erection of unauthorised illumination to a fascia sign.

The Solicitor to the Council be authorised to serve a Listed Building Enforcement Notice and take Prosecution action subject to sufficient evidence being obtained that the Notice is not complied with.

- for the removal of the trough and lighting and associated fixings in their entirety.
- Time for compliance:- immediate effect.

SITE DESCRIPTION

The property is three stories, rendered facade above shopfront, Grade 2 C19 listed building located on the north side of East Street.

BACKGROUND

The complaint was brought to the Enforcement department's attention in May 2014. The agent was informed by e-mail that the trough illumination to the fascia was unauthorised and he should remove it or revert to the approved halo illumination. To date the trough lighting is still in situ.

DESCRIPTION OF BREACH OF PLANNING CONTROL

The trough illumination to the fascia is unauthorised and requires Advert consent together with Listed Building consent.

RELEVANT PLANNING HISTORY

There is a lot of planning history on the site the most recent cases are listed below.

38/11/0017A - Display of illuminated fascia sign and non-illuminated projecting sign
- Refused 05.04.11

38/11/0181A - Display of illuminated fascia sign and non-illuminated projecting sign

- Refused 24.06.11

38/12/0272 - Replacement of shopfront and signs, installation of internal and external security shutters - Conditionally approved 13.09.13

38/12/0273LB - Replacement of shopfront and signs, installation of internal and external security shutters - Conditionally approved 12.09.13

38/12/0312A - Display of illuminated fascia sign and non-illuminated projecting sign - Conditionally approved 17.09.13

RELEVANT PLANNING POLICES

National Policy, Guidance or Legislation

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 12 and paragraph 67 of the National Planning Policy Framework.

Taunton Deane Local Plan 2004

EC26 – Outdoor Advertisements

Taunton Deane Core Strategy.

Policy CP8 - Environment.

DETERMINING ISSUES AND CONSIDERATIONS

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that, when determining planning applications which affect a listed building and determining listed building applications, special regard shall be paid to the desirability of preserving the building, its setting or any features of architectural or historic interest it possesses.

Applications 38/12/0272, 0273/LB and 0312A, were determined positively on the basis that halo illuminated letters to the the fascia were to be provided.

The existing trough lighting due to its design, offset and materials is considered to detract from the historic character of the listed building and the visual amenities of the surrounding area contrary to Policy EC26 (Outdoor Advertisements and Signs) of the Taunton Deane Local Plan, Policy CP8 of the Taunton Deane Core Strategy and Section 12 of the National Planning Policy Framework.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER:

Mr G Clifford

PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

CONTACT OFFICER:

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