

E/0004/38/13

UNAUTHORISED SECURITY SHUTTER AND ILLUMINATED FASCIA SIGN AT 60
BRIDGE STREET, TAUNTON

OCCUPIER: MR A ULGUT

OWNER: MR VICKERY
3 BROADLANDS WAY, TAUNTON, TA1 4HJ

PURPOSE OF REPORT

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of the external security shutter and to take Prosecution action over the illumination to the fascia sign.

RECOMMENDATION

No further action

SITE DESCRIPTION

The site is in Bridge Street which is the main road that leads into the town centre and is north of the river Tone. The premises is a three storey brick building with the shop at ground level. The rear access is onto Black Horse Lane. The upper floors of the building are residential use.

BACKGROUND

The original complaint was brought to the Council's attention in December 2012. Contact was made with the owner and he was advised that both Planning permission and Advert consent was required. Both applications were submitted but did not contain all the relevant documents in order to register them as valid applications. Despite contacting the owner for the missing documents they were not forthcoming and both applications have been returned as they were invalid and not capable of being determined.

A report was prepared and the Planning Committee authorised the serving of an enforcement notice to secure the removal of the security shutter and take prosecution action over the illuminated fascia sign and two other signs attached to the shop front.

The two signs attached to the stall-riser on the shopfront have been removed and the trough light above the main fascia sign has been altered so that it does not project as much as previously.

The security shutter has been removed and replaced with a different style with and open mesh. Despite advising the owner/occupier that the new shutter and illumination required permission no application has been forthcoming.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

Under The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 Part 42 Class A.1.(i) the development would involve the installation or replacement of a security grill or shutter on a shop front requires permission. Also under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 consent is required for the illumination of the fascia.

RELEVANT PLANNING HISTORY

The following applications have been applied for.

38/11/0271- ALTERATIONS TO SHOP FRONTAGE, REFURBISHMENT OF 1ST AND 2ND FLOOR MAISONETTE, AND CHANGE OF USE OF TWO STOREY EXTENSION TO THE REAR FROM STORES WITH FLAT ABOVE, TO FORM 2 SEPARATE FLATS AT 60 BRIDGE STREET, TAUNTON - WITHDRAWN

38/12/0103- ALTERATIONS TO SHOP FRONTAGE, REFURBISHMENT OF 1ST AND 2ND FLOOR MAISONETTE AND CHANGE OF USE AND ALTERATION OF TWO STOREY EXTENSION TO THE REAR FROM STORES WITH FLAT ABOVE, TO FORM 2 SEPARATE FLATS AT 60 BRIDGE STREET, TAUNTON (RETENTION OF PART WORKS ALREADY UNDERTAKEN) (RESUBMISSION OF 38/11/0271) - CONDITIONAL APPROVAL 29/05/12

RELEVANT PLANNING POLICY

National Policy, Guidance or Legislation

NPPF - paragraph 207

Taunton Deane Core Strategy 2011-2028

Policy DM1 (General Requirements)

Taunton Deane Local Plan 2004

EC17 – Shopfront Security (retained policy)

EC26 – Outdoor Advertisements and signs (retained policy)

DETERMINING ISSUES AND CONSIDERATIONS

The works carried out to the shopfront include a new external security shutter that is galvanised and open mesh grille and is enclosed within a shutter housing box. The new fascia sign is illuminated by means of a trough light that is white, attached to the brick of the elevation.

These external alterations are not considered to detract from the appearance and amenity of the building and street scene.

The shutter is a form of open mesh grille that projects right across the shopfront and when in the closed position the inside of the shop can be seen through it. It is accepted that shop owners may want to protect their premises when closed and the Authority has allowed a number of similar shutters in the area. This new shutter is not considered to detract from the street scene in this location and so therefore

complies with policy EC17 of the retained Local Plan which allows shutters where (A) they do not detract from any architectural features and are not detrimental to the street scene; and (B) they are designed and finished in a way which minimises their visual impact and is compatible with the shop front. The shutter also complies with Policy DM1d of the Core Strategy which seeks to prevent unacceptable harm to the appearance and character of any affected building or street scene.

The revised means of illumination of the fascia sign is considered to be acceptable with the appearance of the elevation and street and does not detract from the visual amenity of the street scene in accordance with the retained Local Plan policy EC26(A).

It is considered that a satisfactory means of security to the shopfront and providing an illuminated sign has now been achieved. Therefore it is considered that no further enforcement action is necessary.

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

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PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

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