

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 the external security shutter and to take Prosecution action over the illumination to the fascia sign together with the two signs attached to the shopfront.

RECOMMENDATION

1 The Solicitor to the Council be authorised to serve an Enforcement Notice and take Prosecution Action subject to sufficient evidence being obtained that the Notice is not complied with.

The Enforcement Notice shall require:-

- the removal of the unauthorised security shutter.

Time for compliance: 6 weeks

2 The Solicitor to the Council be authorised to take Prosecution Action over the unauthorised illumination of the fascia sign, together with the two signs attached to the shopfront.

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 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.

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 developemnt would involve the installation or replacement of a security grill or shutter on a shop front requires permission. With regard to the illumination of the fascia under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 Class 5 flourescent strip lighting is not permitted. When a recent site visit was carried out it was also noticed that there are two signs attached to the shop front which also require advert consent

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 solid and is enclosed within a shutter housing box, two external shop frontage signs and a new fascia sign which is illuminated by means of a light fitting that is white, attached to the brick of the elevation and projects approximately 300mm.

These external alterations are considered to detract from the appearance and amenity of the building and street scene and are contrary to retained policies EC17 and EC26 of the Taunton Deane Local Plan and policy DM1d of the Core Strategy.

The shutter is a solid galvanised feature that projects right across the shopfront and obscures it when in the closed position. It is accepted that shop owners may want to

protect their premises when closed and the Authority has allowed a number of shutters in the area but these are often perforated and coloured to blend with the shopfront and allow views of it at night. The current security shutter does not blend with the shopfront and screens the frontage totally in the closed position. This is considered to detract from the street scene in this location and so to be contrary to 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. Policy DM1d of the Core Strategy seeks to prevent unacceptable harm to the appearance and character of any affected building or street scene.

A new fascia sign has been added to the building and this is illuminated by means of a strip light in a white housing set approximately 250mm above the fascia and projecting 300mm from the wall. This when illuminated gives a bright light shining down to the pavement. The means of illumination is considered to be out of character with the appearance of the elevation and street and to detract from the visual amenity of the street scene contrary to retained Local Plan policy EC26(A). In addition two signs one either side of the doorway have been added. These signs conflict with the pilaster, stallriser and lower part of the window and are therefore considered to conflict with the architectural features of the building and detract from the character and appearance of the building and street scene contrary to retained Local Plan policy EC26(A).

It is considered that a satisfactory means of security to the shopfront and providing an illuminated sign could be achieved here, however this would entail removal of the existing unauthorised works and the submission of applications to secure the appropriate alterations to the frontage. The current frontage signs, lighting and security shutter are considered contrary to policies quoted above and to detract from the character and visual amenity of the street scene and therefore enforcement action is considered necessary to remedy the situation.

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: Mrs A Dunford, Telephone 01823 356479