

Taunton Deane Borough Council

Planning Committee – 11 JANUARY 2012

E/0101/38/11 and E/0102/38/11

Planning refs 38/11/0181A, 38/11/0183 & 38/11/0184LB

DISPLAY OF ILLUMINATED FASCIA SIGN AND PROJECTION SIGN AND ALTERATIONS TO INSTALL SHOPFRONT AT CEX LTD, 21 EAST STREET, TAUNTON

OCCUPIER: JT RETAIL ENTERTAINMENTS LTD, 34 THE BOULEVARD,
WESTON SUPER MARE, BS23 1NF

OWNER: DAVIES HOLDINGS (SOMERTON) LTD, OLD KELWAYS,
SOMERTON ROAD, LANGPORT. TA10 9SJ

PURPOSE OF REPORT

To consider whether it is expedient to take prosecution and enforcement action following unauthorised works to a listed building and the display of unauthorised advertisements.

RECOMMENDATION

Committee to authorise prosecution and enforcement action subject to satisfactory evidence being obtained.

SITE DESCRIPTION

The building is a grade II Listed Building that is located within the town centre. The building is used as a retail shop.

BACKGROUND

The new shop front and illuminated sign was first brought to the Council's noticed on 15th April 2011. The owners were contacted and advised that an application should be submitted in an attempt to regularise the situation. An advertisement consent application for the retention of the illuminated sign was received on 15th May 2011 and subsequently refused on 24th June 2011. The Planning application and Listed Building application for the new shopfront has never been validated as it lacked national mandatory requirements and therefore remains unauthorised.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The internally illuminated signs and shopfront have been installed without the appropriate planning permission, listed building consent and advertisement consent.

RELEVANT PLANNING HISTORY

38/11/0017A – Display of illuminated fascia and projecting sign at 21 East Street Taunton (Retention of works already displayed) The application was refused on 8th February 2011 and the signs have remained on the building unauthorised.

RELEVANT PLANNING POLICIES

National Policy, Guidance or Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990
PPS5 – Planning for the Historic Environment
PPG 18 -Enforcing Planning Control
PPG19 – Advertisement Control

Somerset & Exmoor National Park Joint Structure Plan Review

Policy 9 – The Built Historic Environment

Taunton Deane Local Plan 2004

EC26 – Outdoor Advertisements

DETERMINING ISSUES AND CONSIDERATIONS

The works carried out without the appropriate consents are the display of internally illuminated fascia and projecting signs and the installation of a new shopfront. The signs are considered to appear visually obtrusive, by reason of the design, materials and illumination, and out of keeping with the character of the listed building. The shop front works are not of a design and materials in keeping with the character of the listed building and are also considered to detract from its character contrary to government guidance and policies in the Development Plan quoted above.

The works have been carried out without the appropriate consents and unauthorised works to a listed building and display of unauthorised advertisements are criminal offences. There is no mitigating evidence and the recommendation for prosecution and enforcement action is supported.

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

CONTACT OFFICER: John A W Hardy

Tel: 01823 356466