

E/0071/38/12

LARGE PINK SIGN AT FIRST FLOOR LEVEL ON PRINCIPAL ELEVATION OF A LISTED BUILDING AT 5 SILVER STREET, TAUNTON

OCCUPIER: MRS C TAYLOR

OWNER: MRS C TAYLOR
5 SILVER STREET, TAUNTON, TA1 3DH

PURPOSE OF REPORT

To consider whether it is expedient to take Prosecution Action to secure the removal of the unauthorised sign at 5 Silver Street, Taunton.

RECOMMENDATION

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

To secure the removal of the unauthorised sign.

SITE DESCRIPTION

5 Silver Street is a mid 19th century, 2 storey painted brick front building under a slate roof with 3 sash windows. It has a double shop front to the left with pilasters supporting moulded cornice over and a smaller shop front to right. Silver Street is part of the main shopping centre heading out of town towards Corfe.

BACKGROUND

The sign was brought to the Council's attention in April 2012. Contact was made with the owner and a letter was sent on 24 April 2012 outlining the options the owner had. In the event the owner decided that she was not going to apply for Advert consent they were given 28 days from the date of the letter to remove the sign in order to avoid any further action being taken. After six weeks I telephoned Mrs Taylor again to ask when the sign was likely to be removed and the response was "I am dealing with it!" More than two months have now lapsed and the sign is still in situ, on a Grade II listed property.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

Under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Schedule 3, Part 1, Class 5 (5) No part of the advertisement may be higher above ground level than whichever is the lower of- (b) the bottom level of any first floor window in the wall on which the advertisement is displayed. Also Under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 any alteration or addition to a property which is Listed, requires consent.

RELEVANT PLANNING HISTORY

38/92/0379 - Change of use from shop (A1) to office use (A2) at 5 Silver Street, Taunton- Conditionally approved.

38/94/0423LB - Retention of fascia sign and roller shutter at Phone City, at 5 Silver

Street, Taunton. - Refused.

38/94/0425 - Retention of roller shutter over doorway at phone city, at 5 Silver Street, Taunton. - Refused.

38/03/0644 - Change of use of first floor from residential to A1 Hairdressing/Beauty treatment, at 5 Silver Street, Taunton- Conditionally approved.

38/04/0338/LB Erection of non-illuminated fascia sign and projecting sign at 5 Silver Street, Taunton - Refused.

RELEVANT PLANNING POLICES

National Planning Policy Framework

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

Works to a listed building have to be considered under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that in considering whether to grant listed building consent, the Local Planning Authority “shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. Under the Advertisement Regulations the impact on visual amenity has to be considered. Unauthorised display of an advert and works to a listed building are criminal offences.

The sign displayed is above fascia level and requires both advert and listed building consent. It is of a size that reflects the windows in the upper floor, although marginally smaller and has a pink background. The size and colour is clearly discordant and out of keeping with the character of the building and is not considered to be acceptable were applications to be submitted. The sign is considered detrimental to the visual amenity of the building and to the character and appearance of the listed building and therefore prosecution action is considered appropriate.

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

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