

OTTERY ST MARY TOWN
(Ottery St Mary)

No. 07/F0082
(Enforcement)

Land Owner: Abbotts D.I.Y.

Land Occupier:

Location: 1 Jesu Street, Ottery St Mary

Alleged Breach of
Planning Control: Unauthorised advertisement sign

BACKGROUND

Attention was drawn in February 2007 to the unauthorised display of an advertisement sign advertising Abbotts DIY.

The advertisement sign is displayed on the western gable end of the property which does not contain a window and within the designated Ottery St Mary Conservation Area. As a result of the investigation and discussions with the owner, it would appear that a sign of one form or another has always existed at this location however, evidence from the photograph provided, clearly shows that the previous signs had not been as large or prominent as the one currently displayed.

TOWN COUNCIL

The Council has no objection to the signage.

WARD MEMBERS

No response.

PLANNING POLICY

Policy D8 of the East Devon District Council Local Plan requires that advertisements will be granted where the following criteria are met:

1. The advertisement is appropriately positioned in relation to the design of the building and is of an appropriate scale.
2. The advertisement does not create a hazard to traffic safety (whether vehicular or pedestrian).
3. Advertisements are kept to the minimum, and amalgamated wherever possible, to avoid clutter which would detract from the character of the building and the street scene.
4. Where a sign is lit the type and level of illumination is appropriate given the general level of lighting in the area.
5. The construction materials and the colours of the advertisement are sympathetic to the building and area.

Policy EN11 of the East Devon District Council Local Plan states that:

“Proposals for development (including alterations, extensions and changes of use) or the display of advertisements within a Conservation Area as shown on the proposals maps, or outside the area, but which would affect its setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area.”

CURRENT SITUATION

The owner has responded by letters and enclosed various photographs relating to the history of this site and copies of these letters and photographs are attached.

PLANNING VIEWPOINT

The advertisement sign occupies a prominent location within the conservation area and appears as an incongruous addition within the street scene. The use of plastic fails to preserve or enhance the designated conservation area and contrasts with the traditional character of the host building and surrounding area. It is clear that a sign has adorned the side of this building for some considerable time and there is no objection in principle to an advertisement sign in the proposed location. However, the size of the sign is not considered acceptable given the uncluttered side elevation of the building. The size of signs in Conservation Areas and their position in the street is an important consideration. Proposals for signage in such areas should enhance or preserve the character. This sign is out of proportion with other signage. The use of such modern materials within a conservation area is considered contrary to planning policies which serve to preserve and enhance those areas.

The applicant has been advised on a number of occasions that a timber sign to match the depth of the fascia sign on the front elevation would be perfectly acceptable. This would reflect the historic position as Members will see from the photograph supplied by the owner. To clarify the legislation, all signage on a wall without a shop window requires Advertisement Consent, so it is not a question of minor reduction in size making the sign immune from Enforcement action.

HUMAN RIGHTS ACT

It is considered that there are no Human Rights that are affected in this case.

RECOMMENDATION

That the Head of Legal and Member Services be authorised to instigate such legal action as necessary to secure the permanent removal of the unauthorised plastic sign.

Period of compliance – one month.

List of Background Papers

Application file, consultations and policy documents referred to in the report.