
BREACH OF PLANNING CONTROL AT 4 CHURCH STREET, RAYLEIGH, ESSEX

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the display of fascia sign on the front elevation of a listed building - 4 Church Street, Rayleigh.
- 1.2 Members will need to consider whether it is expedient to serve notices, etc, and this function is discretionary. However, the mechanisms of such actions are statutorily controlled.

2 INTRODUCTION

- 2.1 Church Street runs from the north end of Rayleigh High Street, past the entrance to the Holy Trinity Church, before turning at right angles into London Hill. No 4 is one of a group of four terraced buildings on the east side of the road. Of these No's 4, 6 and 8 are Grade II (two) listed while No 2, being a more recent addition, is not. The building also lies within the Rayleigh Town Centre conservation area.
- 2.2 No's 4, 6 and 8 were constructed in the mid 19th Century, and are timber framed with red tiled roofs. They are included on the list of buildings of special interest due to the group value that the row of cottages presents.
- 2.3 The sign that has been displayed here is fitted between the ground and first storey windows. It is constructed from a yellow acrylic sheet with applied lettering and a metal frame.

3 PLANNING HISTORY

- 3.1 This matter was brought to this Authority's attention in late 2001. Following investigations it was revealed that, while the sign already benefited from "deemed consent" (that is, a *advertisement* consent for its display does not need to be formally applied for), the property was a listed building. Consequently *listed building* consent would be required if the sign were to remain.
- 3.2 As is usual with enforcement cases, contact was first made with the property owner with a view to resolving this matter informally. He was invited to either apply for listed building consent or to remove the sign from the property. Since neither was done the expediency of formal action now needs to be considered.
- 3.3 Contact was made with Essex County Council's Senior Historic Buildings Advisor and his written objection to the sign was received.

4 PLANNING ISSUES

- 4.1 In addition to the extensive policy and guidance within PPG 15 and other Central Government documents, this Council has many policies and other guidance relating to advertisements and other displays on shop windows. Of particular relevance are policies SAT7 and SAT8, along with this Council's supplementary planning guidance "Conservation in Rochford. Shop Fronts – Security and Design" Planning
- 4.2 SAT7 states that advertisements shall be well designed and relate to the character of the building on which they are displayed. Furthermore, regard should be had to the materials and design of any such advertisements.
- 4.3 SAT8 relates to signs within conservation areas. This policy states that traditional wooden painted signs, painted fascias and hanging signs will be preferred to coloured plastic fascias and boxes.
- 4.4 Supplementary guidance produced by this Council states that plastic sheets should not be used to construct signs as these are *"generally unsympathetic when viewed in combination with natural textures."*
- 4.5 The County Council's Specialist considered that the materials used in the construction of this sign were inappropriate and unsympathetic to the traditional textures and finishes of the walls. He went on to add that the lettering had no architectural qualities and the sign was obtrusive and detracted from the appearance of the façade.
- 4.6 Officers therefore bring this matter to Members for their determination with a view to obtaining the necessary authority to take enforcement action to require the removal of this advertisement.

5 LEGAL IMPLICATIONS

Any action considered necessary through the Courts to remedy the breach.

6 RECOMMENDATION

- 6.1 It is proposed that the Committee **RESOLVES**

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action including the issue of Notices and action in the Courts to secure the remedying of the breach now reported. (HPS)

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