
BREACH OF PLANNING CONTROL AT 6 CHURCH STREET, RAYLEIGH

1 SUMMARY

- 1.1 To consider the report of the Head of Planning Services regarding a breach of planning control, namely the erection of a non-illuminated fascia display at 6 Church Street, Rayleigh – a listed building.
- 1.2 Members will need to consider whether it is expedient to serve enforcement 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. 6 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 fascia display that has been implemented here fronts Church Street, so is visible from London Hill, and also from the north end of Rayleigh High Street.

3 PLANNING HISTORY

- 3.1 The matter was brought to this Authority's attention last year. Following initial investigations it was revealed that listed building consent had not been granted for the fascia and contact was made with Essex County Council's Historic Building Advisor. He confirmed his objection to the sign, commenting that it appeared incongruous and in no way enhanced the listed building.
- 3.2 The proprietors of the premises submitted an application for Listed Building Consent and this was refused in May 2003 due to the inappropriate materials used. Despite this the sign still remains.

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 relating to Conservation Areas, Listed Buildings. Of particular relevance are policies UC1, UC3 and UC7 along with PU6. There is also detailed design guidance for Conservation Areas contained within Appendix 7 of the RDLP.

- 4.2 UC1 and UC3 relate to development within Conservation Areas. UC1 states that the LPA will seek to protect and enhance those buildings which go to make up the character of such areas. UC3 states that when considering extensions and alterations within Conservation Areas the LPA will ensure that new works enhance the townscape character and that the external materials should be appropriate to, and sympathetic with, the particular character of the area.
- 4.3 UC7 relates to Listed Buildings themselves and states that alterations and additions to such structures will not be permitted if they adversely affect important historic features. Furthermore, the choice of materials will be expected to complement the original materials of construction.
- 4.4 It is clear that the fascia in this location does not enhance either the character of the Listed Building or the Conservation Area. Furthermore, the materials used in construction cannot be taken to complement the original materials of the property. The fascia is visually apparent from a number of surrounding streets and appears incongruous, intrusive and unsightly in this location within a Conservation Area.
- 4.5 The decision was therefore taken to proceed with enforcement action that seeks authorisation to seek the removal of the fascia from this property.

5 LEGAL IMPLICATIONS

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

6 RECOMMENDATION

It is proposed that the Committee **RESOLVES**

That the Head of Planning Services 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.

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Head of Planning Service

Background Papers: none

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