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REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	11 <sup>th</sup> May 2004	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Unauthorised display of an illuminated projecting sign at the shop premises at 83, High Street, Newhall	REF: RMS/E2003/303
WARD(S) AFFECTED:	Newhall and Stanton	TERMS OF REFERENCE: DC01

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#### 1.0 Reason for Exempt

1.1 Not applicable.

#### 2.0 Recommendations

2.1 That the Development Control Committee authorises the Legal and Democratic Services Manager to institute an appropriate prosecution to secure the removal of the unauthorised sign.

#### 3.0 Purpose of Report

3.1 To obtain the Committee's instructions.

#### 4.0 Executive Summary

4.1 Not applicable.

#### 5.0 Detail

5.1 Following a complaint received in late September 2003, a site inspection revealed that an illuminated projecting sign had been displayed on the front elevation of the premises without benefit of the necessary express consent.

5.2 The matter was drawn to the attention of the occupier who elected to submit a regularising application which was subsequently registered under reference 9/2003/1394/A.

5.3 The application was refused under delegated powers on 28<sup>th</sup> January 2004 for the reason that 'the projecting sign due to its excessive size detracts from the domestic scale and character of the building and is thereby detrimental to the amenity of the

area and contrary to the guidance in PPG19: Outdoor Advertisement Control, ENV24 of the emerging Local Plan and the Council's Supplementary Planning Guidance for the Display of Advertisements. A copy of the decision notice and a plan of the site is attached at Annexe A.

- 5.4 Following the issue of the refusal and the expiry of the 28 day period for an appeal to be submitted, the occupier was contacted with a view to ascertaining the approach he wished to take in the matter but no reply has been received and the advertisement remains extant.

## **6.0 Financial Implications**

- 6.1 Should legal proceedings prove necessary in the matter, the Council may be subject to certain costs.

## **7.0 Corporate Implications**

- 7.1 None.

## **8.0 Community Implications**

- 8.1 None

## **9.0 Conclusions**

- 9.1 In default of the submission of an appeal, there is a clear and continuing breach of the Town & Country Planning (Control of Advertisements) Regulations 1992 (as amended) and it is, accordingly, open to the Committee to authorise the institution of an appropriate prosecution to secure the removal of the sign.

## **10.0 Background Papers**

- 10.1 Application File 9/2003/1394/A and Enforcement File E2003/303



# South Derbyshire District Council

Reg. No. 9 2003 1394 A

Agent:  
Mr Steven Singh  
83, High Street  
Newhall  
Swadlincote  
Derbyshire  
DE11 0HT

Applicant:  
Mr Steven Singh  
83, High Street  
Newhall  
Swadlincote  
Derbyshire  
DE11 0HT

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
REGULATIONS 1992

**REFUSAL OF EXPRESS CONSENT**

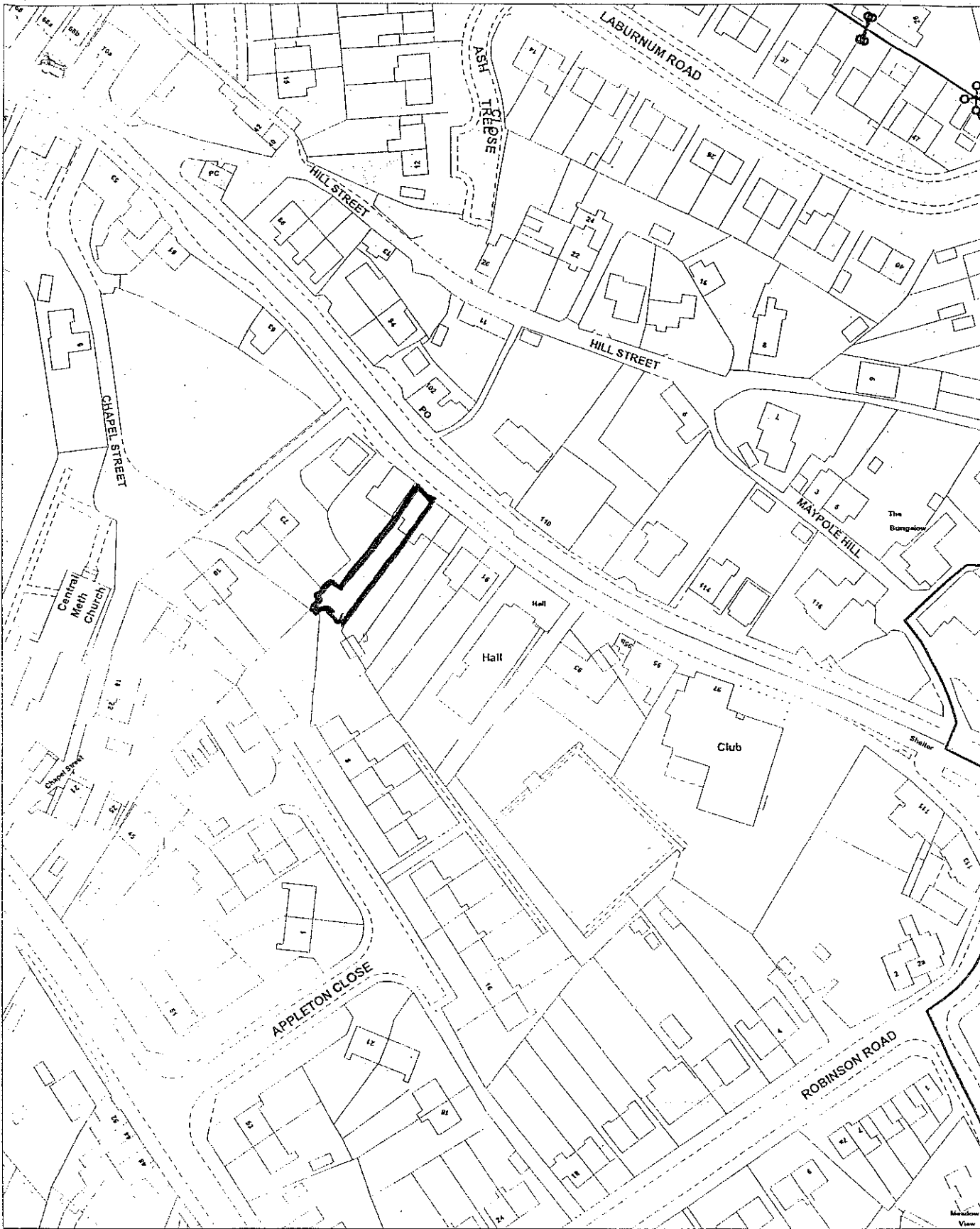
In exercise of its powers as the Local Planning Authority under the above Acts and related subordinate legislation, the Council hereby gives notice that your application for **The retention of an illuminated projecting sign on the front elevation of the shop premises at 83 High Street Newhall Swadlincote** as shown on the deposited plans and described in the application form received 04/12/2003 is hereby REFUSED, for the following reason:

The projecting sign due to its excessive size detracts from the domestic scale and character of the building and is thereby detrimental to the amenity of the area and contrary to the guidance in PPG19: Outdoor Advertisement Control, ENV24 of the emerging Local Plan and the Council's Supplementary Planning Guidance for the Display of Advertisements.

Authorised Officer of the Council

Date: 28 January, 2004

**YOUR ATTENTION IS DRAWN TO  
THE ATTACHED NOTES**



South Derbyshire  
District Council  
Civic Offices  
Civic Way  
Swadlincote  
DE11 0AH

Date Plotted 22/9/2003

NORTH ↑

Plot centred at 428994 320812

Scale 1:1250

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