

Planning Committee: 27 May 2014

Item Number: 22

Investigation Number: ACT 012/14

Town/Parish Council: Leamington Spa

Case Officer: **Rajinder Lalli**
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140-142, Parade, Leamington Spa CV32 4AG

Display of an illuminated advertisement

RECOMMENDATION

Planning Committee are recommended to authorise appropriate enforcement action by way of the service of a Discontinuance Notice directed at the removal of the illuminated sign the subject of this report with a compliance period of 7 days from the effective date of the Notice.

BACKGROUND

In January 2014, an enforcement investigation commenced in respect of the intensity of illumination of an advertisement positioned close to the inner face of the main shop window of the above property which had recently reopened as a refurbished restaurant.

As part of that investigation, officers have sought to engage with the operators of the restaurant to seek improvements to the visual impact of the advertisement principally means of its removal, to date without success.

The advertisement, by reason of its positioning inside the building does not require advertisement consent. However in scenarios where Local Planning Authorities consider such advertisements to result in either substantial injury to the amenity of the locality or in danger to members of the public, the advertisement regulations enable action to be taken to seek to remedy that harm through the issue of a Discontinuance Notice.

RELEVANT POLICIES

The relevant tests as to the expediency of taking discontinuance action are as set out in the paragraph immediately above. Whilst Local Plan policies are therefore not strictly relevant, they do nevertheless seek to protect the visual amenities and preserve or enhance the character of Conservation Areas.

PLANNING HISTORY

There is no specifically relevant planning history.

KEY ISSUES

The Site and its Location

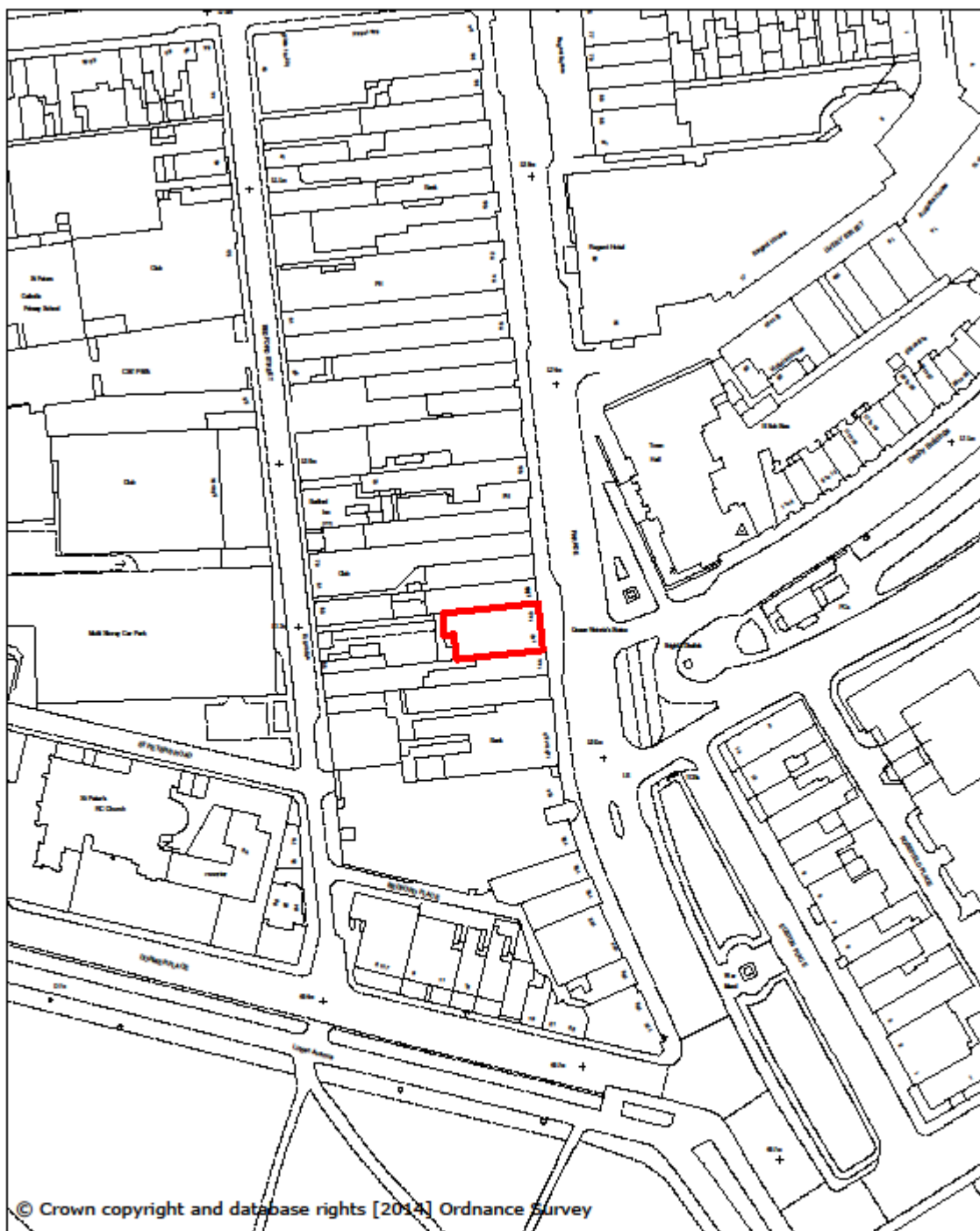
The site is a prominently located three storey building located on Parade within the Royal Leamington Spa town centre and Conservation Area. It is adjoined on either both side by Grade II Listed buildings.



Assessment

The advertisement the subject of this report comprises individual illuminated letters spelling out the name of the premises towards the top left hand corner of the shop front. The advertisement is of considerable size and its intensity of illumination is such that it is visible from a considerable distance.

On this part of Parade, advertisements on surrounding retail units comprise traditional non-illuminated fascia signs in order to preserve and enhance the simple regency character of this part of the Conservation Area and the character and setting of the numerous surrounding listed buildings.

Within that context, the advertisement in question is of a significantly different size and character which in addition by reason of its intensity of illumination is considered to inevitably result in substantial injury to the amenity of this sensitive location to the extent that it is considered expedient to serve a discontinuance notice.



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|--|---|---------------------------|-------------------------------|-------------------------------|---|--|
|  | Title: Discontinuance Notice - Plan A | | | | | |
| | 140-142 Parade, Leamington Spa CV32 4AG | | | | | |
| | LOCATION PLAN | | | | | |
| Scale: 1:1250 | Plan: 1 | Drawn By: KW/RL | Date: 19 March 2014 | File No. ACT 012-14 | North:  | |
| Development Services: P.O. Box 2178, Riverside House, Milverton Hill, Royal Leamington Spa. CV32 5QH | | | | | | |