

Planning Committee – Wednesday 29 June 2011

Report of the Development Manager

Enforcement Item

- 1. File/Complaint Number** E0071/14/11 and E0165/14/11
- 2. Location of Site** Field adjacent to M5 Motorway north of Junction 25, Creech Heathfield, Taunton
- 3. Name of Owners** Unknown
- 4. Name of Occupiers** Persimmon Homes
- 5. Nature of Contravention**

Display of large advertisement on trailer

6. Planning History

The sign was noticed on 15th March 2011 but initially it was unclear what the sign was advertising. The sign disappeared on 17th March and the matter closed. However, on 24th May a complaint was received that the sign had reappeared and it was ascertained that the advert was for Persimmon Homes.

The display of an advertisement without consent is contrary to Section 224 of the Town and Country Planning Act 1990. It is an offence to display such advertisements in contravention of the Regulations, which is triable in the Magistrates Court with each sign or poster a separate offence. This applies to the owner or occupier of the land on which the unauthorised advertisement is displayed or anyone who has derived benefit from its display.

The Regional Manager was contacted advising him that the sign was unauthorised and should be removed in order to avoid prosecution action being taken. To date the sign continues to be displayed.

7. Reasons for taking Enforcement Action

The sign by virtue of its siting in a prominent position adjacent to the M5 motorway and represents an unnecessary commercial intrusion into open countryside that results in demonstrable harm to the visual appearance of the area.

It is considered that the purpose of the sign is to attract the attention of those travelling in vehicles along the Motorway and therefore likely to detract drivers attention from the road ahead. This could give rise to an adverse impact on public safety.

The sign is therefore considered to be contrary to Policy EC26 of the Taunton Deane Local Plan and

8. Recommendation

The Solicitor to the Council be authorised to commence Prosecution proceedings in order to secure the removal of the unauthorised sign.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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