

**E/0160/38/12**

**UNAUTHORISED SIGNAGE AT THE FORMER WESTGATE INN, 1 WESTGATE STREET, TAUNTON**

**OCCUPIER:**

**OWNER:** MR A HORUN & MR H ALI  
WESTGATE INN, 1 WESTGATE STREET, TAUNTON  
TA1 4EX

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**PURPOSE OF REPORT**

To consider whether it is expedient to take Prosecution action over an illuminated sign on North elevation.

**RECOMMENDATION**

No further action.

**SITE DESCRIPTION**

The site is on the corner of Westgate Street and Shuttern on the South west side of the Town centre. The property is in use as an Indian Restaurant with accommodation over. Previously the property was in use as a public house. The sign is on the front elevation in a prominent position, opposite Cann Street. The sign is illuminated.

**BACKGROUND**

The sign was brought to the Council's attention following a site visit by the Planning Officer when she advised the owners that advert consent was required should they wish to retain the sign. An application was submitted to retain two signs and a split decision was issued which granted consent for the advert on the side elevation but refused consent for the larger sign on the front elevation.

Following this the applicant appealed against the refusal element of the decision but the Inspector agreed with the Council's original assessment and dismissed the appeal.

At the Planning Committee on 16<sup>th</sup> October 2013, Members gave authorisation for the Solicitor to the Council to commence Prosecution action for the unauthorised display of an internally illuminated advertisement.

The sign was removed and replaced with another illuminated sign which is also unauthorised. The owner has submitted an application to retain this new illuminated sign but the application is invalid.

**DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL**

The sign is on the front elevation in a prominent position, opposite Cann Street. The sign measures 1.6m x 1.8m x 50mm and is at first floor level, between two windows. Due to its location, the advertisement requires express consent.

## **RELEVANT PLANNING HISTORY**

38/12/0145 -External Alterations - Conditionally approved 25 June 2012

38/12/0411A - Display of 1 internally illuminated sign and 1 fascia sign - Split decision 13 March 2013 - Appeal dismissed

## **RELEVANT PLANNING POLICES**

National Planning Policy Framework

Paragraph 67

Taunton Deane Local Plan 2004

EC26 – Outdoor Advertisements and Signs

## **DETERMINING ISSUES AND CONSIDERATIONS**

The sign has been reduced in size to reflect the proportions of the first floor windows and the sign is no longer considered to significantly affect the visual amenities of the area.

An advertisement consent application is in the process of being submitted.

In light of the above I do not consider that any further action should be taken over the unauthorised sign.

**In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998**

**PLANNING OFFICER: Ms F Wadsley**  
**PLANNING ENFORCEMENT OFFICER: Mrs A Dunford**

**CONTACT OFFICER: Mrs A Dunford, Telephone 01823 356479**