

E/0156/37/14

UNAUTHORISED CHANGE OF SIGNAGE AT THE HALF MOON INN, STOKE ROAD, STOKE ST MARY

OCCUPIER:

OWNER:

THE MANAGER
HALF MOON INN, STOKE ROAD, STOKE ST MARY
TAUNTON
TA3 5BY

ENTERPRISE INNS PLC
3 MONKSPATH HALL ROAD, SOLIHULL, WEST MIDLANDS
B90 4SJ

PURPOSE OF REPORT

To consider whether it is expedient to take prosecution action relating to the unauthorised display of a sign at the property.

RECOMMENDATION

The Solicitor of the Council be authorised to take prosecution action subject to sufficient evidence being obtained for the unauthorised display of the advertisement.

SITE DESCRIPTION

The site is a historic public house within the village, although not listed. The main frontage of the building and the signage lies perpendicular to the road, however the advertisement is highly prominent to users of the road.

BACKGROUND

A complaint was received regarding replacement signage at the property in late 2014. It was noted that a number of signs were being replaced on the property. There was originally one large sign on the front of the building located on the gable closest the road. When the signage was replaced an additional sign was erected on the other gable of the building.

Following instructions from the Enforcement Officer a retrospective planning application was submitted to the Council for the replacement signage and the additional sign.

A split decision was issued by the council relating to the signs in May 2015 (Ref: 37/15/0001/A). The replacement signs were subsequently approved and the additional sign on the gable was refused.

The owners of the site have been instructed to remove the unauthorised sign on a number of occasions however this has not occurred. It is now considered that the

only course of action is to proceed with prosecution proceedings in order to deal with the unauthorised development and to provide sufficient motivation for the owner to rectify the issue.

DESCRIPTION OF BREACH OF PLANNING CONTROL

Without advertisement consent the unauthorised erection of a sign on the gable of the building.

RELEVANT PLANNING HISTORY

37/15/0001/A - DISPLAY OF 2 No ILLUMINATED FASCIA SIGNS, 1 No NON ILLUMINATED FASCIA SIGN, 1 No ILLUMINATED PROJECTING SIGN AND 2 No NON ILLUMINATED BOARD SIGNS AT THE HALF MOON INN, STOKE ROAD, STOKE ST MARY (RETENTION OF WORKS ALREADY UNDERTAKEN) AS AMENDED – Split Decision

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Para 207 – Enforcement

EC26 – TDBCLP – Outdoor Advertisements and Signs.

Policy D3 of the Draft Site Allocations and Development Management Plan.

DETERMINING ISSUES AND CONSIDERATIONS

The addition of a second high level externally illuminated sign on a gable that previously has had no sign has a harmful effect on the visual amenity of the site. This adds to the visual impact of the signs on the premises and the sign obstructs the view of the window head detail of the building. This is contrary to criterion A of policy EC26 and the replacement draft policy D3 of the emerging Site Allocations and Development Management Plan. It is considered this does detract from the visual amenity of the area and the split decision was therefore considered appropriate on this scheme to refuse the new high level illuminated gable sign and to approve the other replacement signs.

The owner has not removed the unauthorised sign and given no explanation for this. The owner of the site has also not appealed against the refusal of Advertisement Consent. Prosecution is seen as the appropriate method to deal with the unauthorised development and will provide sufficient incentive for the owner of the site to remove the sign.

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

PLANNING OFFICER:

Mr M Bale

PLANNING ENFORCEMENT OFFICER: Christopher Horan

CONTACT OFFICER: Christopher Horan, Telephone 01823 356479