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Enforcement Report

Report subject: Freestanding directional sign on the south side of the A303, Charnage Down, Mere

Report to: Western Area Committee

Date: 6th December 2007

Author: Stephen Hawkins, Principal Planning Officer (Enforcement)

Report Summary

To update Members in relation to proposals for replacement signage at the site in the light of their previous decision to authorise discontinuance action in relation to the use of the site for the display of advertisements.

Introduction

The site relates to part of a field immediately adjacent to the westbound carriageway of the A303, to the north of West Hill Farm, close to the junction with the lane leading to Charnage, where a large "Wookey Hole" sign is currently displayed.

The site is within the Cranborne Chase and West Wiltshire Downs AONB and in an Area of Special Advertisement Control. The site is actually in the Parish of West Knoyle, close to the boundary with that of Mere.

Members will recall that at the July Western Area Committee, discontinuance action was authorised in relation to the use of this site for the display of advertisements. This would have entailed removal of the current sign displayed at the site, which is displayed with 'deemed consent' having regard to the use of the site for the display of advertisements for more than ten years. Such action would also prevent the lawful display of future signage on the site without first obtaining the Council's consent.

Following the meeting, negotiations were entered into with the landowner/advertiser, which have concluded in the submission of details of a replacement sign, on which the AONB Officer was informally consulted to ascertain his views.



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The proposed replacement sign would be of similar dimensions to the existing and would be displayed in a similar location and at a similar height. However, it is proposed that the new sign would adopt more muted colours and would not have any graphics.

The landowner/advertiser have offered to replace the current sign with that proposed, in accordance with a timetable to be specified by the Council.

The previous report to Committee is attached as an Appendix, for Members' information.

Response to consultations

AONB Officer: The sign now proposed is much more appropriate than the existing sign and satisfied that this is a reasonable outcome bearing in mind the site's existing use rights for display of advertisements (summary)

Considerations

Officer views on whether discontinuance action should be taken in relation to the use of this site for display of advertisements remain largely as set out in the previous report.

Members should also be aware that the Highways Agency did not wish to be involved in the negotiation /consultation process on the proposed replacement sign and their views remain as set out in the previous report.

It is nevertheless considered that the proposed sign would represent a visual improvement over the current one, in terms of its use of more muted colours and the lack of strident graphics, both of which pay more regard to the naturalistic background and would be more in keeping with its AONB surroundings and could be regarded as reducing the substantial injury to amenity caused by the existing sign.

Options for action

If Members consider that the substantial injury to amenity would be ameliorated by the proposal, they could consider, as an alternative to taking discontinuance action, to defer the consideration of any further action until the landowner/developer has had an opportunity to replace the existing sign with that proposed and the event of the sign being replaced, to take no further action in the matter. Such an approach would also reduce the risk of the existing sign remaining during any appeal against the notice and in the event of, for example, the Council being unsuccessful in an appeal.

In the event that the sign were not replaced as proposed, formal action could then still be taken which would have the effect of, amongst other things, securing removal of the existing sign.

Conclusion

Officers' views were made clear in the previous report and it is considered on balance that the proposed replacement sign does not go sufficiently far enough resolve the objections which led to discontinuance action being recommended.

It is nevertheless considered that the proposed sign is an improvement over that existing and it does merit consideration by Members as an alternative to discontinuance action which would otherwise secure cessation of the use of the site for the display of advertisements as well as removal of the current sign.

RECOMMENDATION:

A: That the Head of Legal & Property Services be authorised to serve a Discontinuance Notice under the Town and Country Planning (Control of Advertisements) Regulations 2007, on the appropriate persons (to include the advertiser and the owner and occupier of the site on which the advertisement is displayed), requiring that the use of the site for the display of an advertisement should cease, for the reasons set out the report to the Western Area Committee on 19th July 2007 and in accordance with the timescales for the Notice coming into effect and compliance resolved by Members at that meeting (12 weeks).

B: In the event that Members do not agree with the recommendation at A above, that the consideration of discontinuance action be DEFERRED for a period of no more than two months from the date of this meeting to enable the landowner/developer to replace the existing sign in accordance with the details of the proposed new sign submitted to the Council, in the event of such works being carried out NO FURTHER ACTION will be taken; and

C: In the event that the sign is not replaced in accordance with B above within two months from the date of this meeting, the Head of Legal & Property Services be then authorised to serve a Discontinuance Notice under the Town and Country Planning (Control of Advertisements) Regulations 2007, on the appropriate persons (to include the advertiser and the owner and occupier of the site on which the advertisement is displayed), requiring that the use of the site for the display of an advertisement should cease, for reasons set out the report to the Western Area Committee on 19th July 2007 and in accordance with the timescales for the Notice coming into effect and compliance resolved by Members at that meeting (12 weeks).

Implications

- **Financial: See above.**
- **Legal: Detailed in the report.**
- **Environmental implications: Detailed in the report.**
- **Council's Core Values: Excellent service; fairness and equal opportunity for all.**
- **Wards Affected: Knoyle.**
- **Human Rights: Detailed in the report.**