5   ADVERTISING CONSENT APPEAL DECISION: 3-7 ERSKINE LANE, BROUGHTY FERRY, DUNDEE - HIGH LEVEL EXTERNALLY ILLUMINATED ADVERTISEMENT SIGNBOARD (AN435-2003)

Reference is made to Article IV(d) of the minute of meeting of this Committee of 31st March, 2003 wherein the above proposal was refused Advertisement Consent because the Council considered that the sign (already in place) was contrary to Policy BE6 of the Dundee Local Plan 1998 and Policy 63 of the Finalised Dundee Local Plan Review. These policies relate to issues of visual impact on the subject property, neighbouring properties and the surrounding area.

The decision was appealed by the applicant under the provisions of Section 182 of the Town and Country Planning (Scotland) Act 1997 and Regulation 21 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

The appeal was determined by written representations and the decision was received by the Council on 29th July, 2003. A copy of the decision letter can be found in the Members' Lounges.

The Reporter considered the determining issue to be whether the sign, in terms of its size and location was injurious to amenity.

In summary the Reporter concluded that:

(a)   existing signage already in place on Erskine Lane (projecting banners (illuminated) and wall mounted plaques) more than adequately identified the business;

(b)   the signboard was not well related to the gable wall, was over dominant and visually unacceptable in an area of strong character; and

(c)   based on discussions which had taken place between the Council and the appellant it should be possible for the difficulties with the existing sign to be overcome and a suitable solution agreed.

Accordingly the appeal was DISMISSED.

Commentary: The sign which was the subject of this appeal is still in place. It is intended that appropriate enforcement action be taken whilst discussions with the appellants are held to explore the possibilities of an agreed approach consistent with the Reporter's conclusions.