

REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE – 26 MARCH 2001

REPORT ON: DESIGNATION OF THE “OVERGATE CENTRE” AS AN AREA OF SPECIAL CONTROL UNDER THE TERMS OF THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (SCOTLAND) REGULATIONS 1984

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 145-2001

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek the Committee's authority to designate an Area of Special Control under the terms of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 at the Overgate Centre, Dundee, (see attached plan).

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee:
- a Endorses the designation of Overgate Centre Area of Special Advertisement Control for the area identified on the attached plan.
 - b Authorises the Director of Support Services and the Director of Planning and Transportation to undertake the necessary procedures to designate the proposed area of special control.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications for the Council.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 Local Agenda 21 objectives support the maintenance of the high quality development environment currently associated with the Overgate Centre thereby addressing the key theme that “Places, spaces and objects combine meaning and beauty with utility”.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 There are no equal opportunity implications.

6 BACKGROUND

- 6.1 Planning consent for the demolition and the redevelopment of the Overgate Centre was granted on the 28 January 1998, Ref D23083. The completed Centre opened to the general public on the 20 March 2000. The design of the Centre has received praise throughout the country as a fine piece of modern architecture. With the

opening of the shopping centre it has become clear that the certain retail outlets wish to advertise their presence within the centre as vigorously as possible. It is considered that a proliferation of signage on and around the Centre within the proposed boundary could have a serious detrimental impact on the amenity of the building and surrounding area.

7 SUMMARY OF BENEFITS ARISING FROM THE DESIGNATION OF AN AREA OF SPECIAL CONTROL

7.1 The Advertisement Regulations provide that a planning authority can define an area of special control in the interests of amenity. For this purpose the relevant authority should have regard to the general characteristics of an area including the historical, architectural, or cultural features including listed buildings. Therefore, it is recommended that a special area of special control be designated for the area indicated on the attached plan, which clearly displays such characteristics.

7.2 An "Area of Special Advertisement Control" removes much of the permitted development rights pertaining to advertisements. As a consequence advertisement consent would be required for:

- All illuminated advertisements
- All advertisements that exceed 3.6 metres above ground level, maximum height of lettering 0.3 metres.
- All advertisements relating to building operations.
- In addition, all advertisements deemed to require the benefit of advertisement consent as a result of these stricter regulations, must apply for and obtain express consent or will be subject to enforcement action which may result in their removal after eight months of the designation of the "area of special control".

7.3 This list is not definitive, but provides examples of the stricter controls over advertisements within an area of special control.

8 PROCEDURE

8.1 The City Council is required to submit an order defining the proposed area of special control with reference to a map, description and statement of reasons to the Scottish Executive for their approval. A notice is required in the Edinburgh Gazette and the Dundee Courier relating to the submission of the order, inviting objections and representations.

8.2 If any objection to the order is received, the objectors and the Council are afforded an opportunity to appear before a Reporter appointed by the Scottish Executive. After consideration of any representation, the Scottish Executive may approve or refuse the Order with or without modifications.

8.3 As soon as the order has been approved the City council is required to publish a notice in the Dundee Courier and Edinburgh Gazette relating to the approval.

9 CONSULTATIONS

- 9.1 The Chief Executive, Director of Finance, Director of Support Services, Director of Corporate Planning, and Director of Economic Development have been consulted and are in agreement with the contents of this report.

10 BACKGROUND PAPERS

- 10.1 Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984

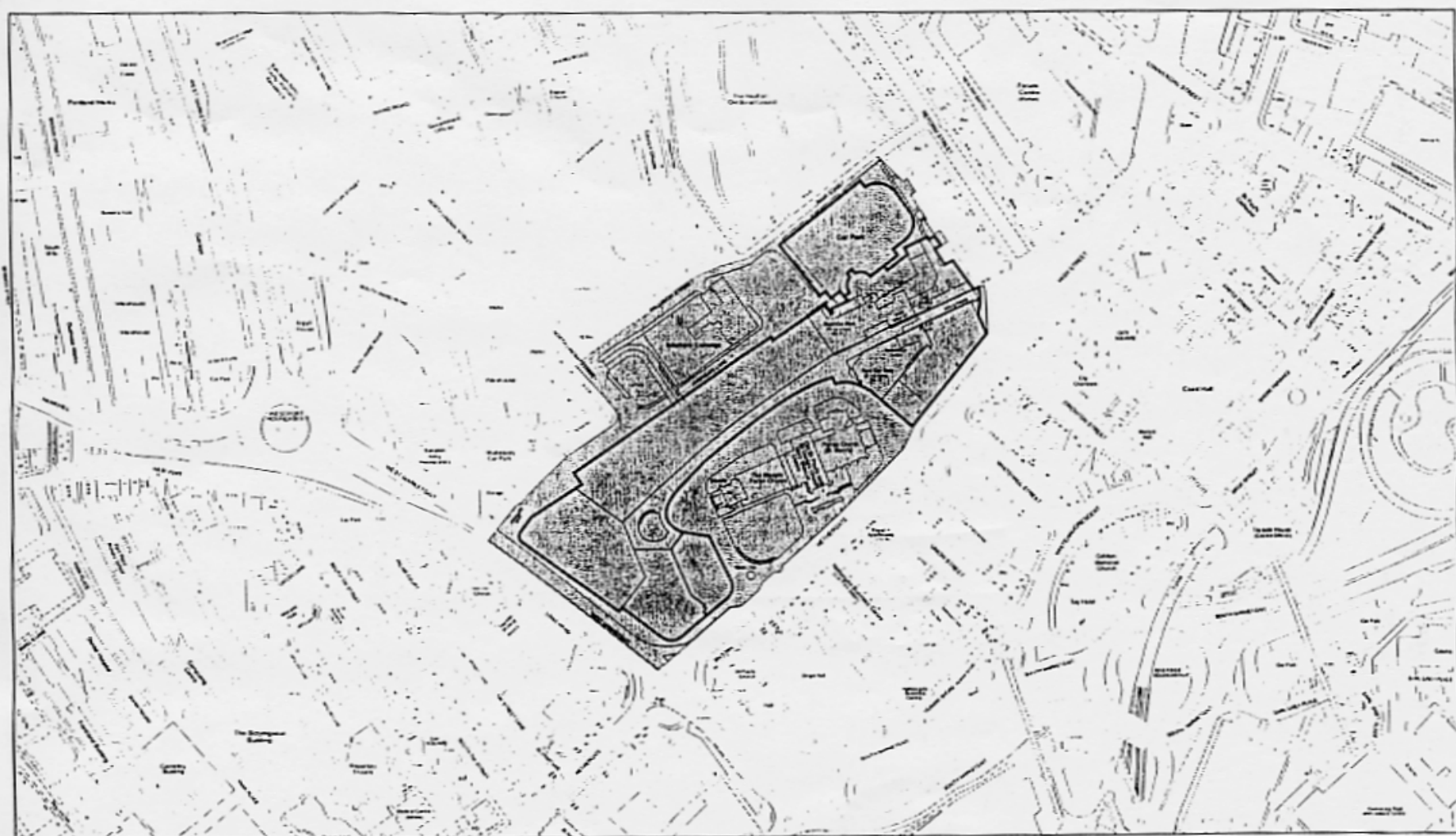
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16 March 2001

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**PROPOSED AREA OF SPECIAL ADVERTISEMENT CONTROL
OVERGATE CENTRE, DUNDEE**

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