

KEY INFORMATION

Ward Balgillo

Proposal
Erection of signage

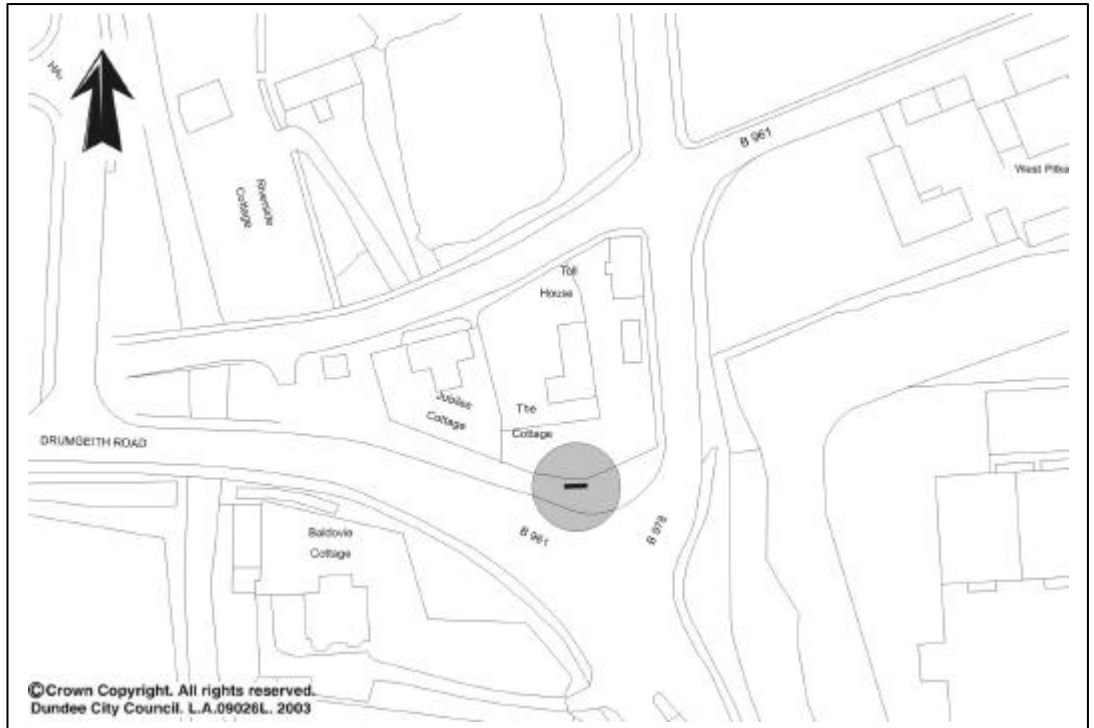
Address
Land South of The Toll
House
Kellas Road
DUNDEE

Applicant
Miller Homes Ltd
Scotland East Region
Miller House
2 Lochside View
Edinburgh EH12 9DH

Agent

Registered 23 Aug 2006

Case Officer C Walker



Advertising Sign Proposed in Kellas Road

The erection of signage is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

RECOMMENDATION

The cumulative effect of an additional sign at this location would have an adverse impact on amenity contrary to the provisions of Section 182 of the Act and paragraph 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The application is therefore recommended for **REFUSAL**.

SUMMARY OF REPORT

- Consent is sought to erect a free standing sign on an unadopted roadside verge at the junction of Baldowie Road and Kellas Road. The proposed sign would advertise the Miller Homes housing site at Ballumbie Castle within Angus Council area. There are 2 similarly sized V shaped signs for other housing developers (Betts and Stuart Milne Homes) close by.
- The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 states that control can only be exercised in the interests of amenity and safety. Policy 63 of the adopted Local Plan has similar wording.
- A letter of objection was received from the occupier of the cottage close to the site who is concerned about the visual impact of the sign.
- It is considered that the cumulative impact of 2 large signs at this location would have an adverse affect on the visual amenity of the area. It is therefore concluded that the proposals are not consistent with the provisions of the statutory requirement.

DESCRIPTION OF PROPOSAL

Consent is sought to erect a free standing sign on the site measuring 3.24 by 2.44 metres and mounted on 3 poles so that the top of the sign would be some 4.24 metres above existing ground level. The proposed sign would not be illuminated and would advertise the Miller Homes housing site at Ballumbie Castle, the entrance to which is some 750 metres further to the north on Kellas Road within Angus Council area.

SITE DESCRIPTION

The site comprises an unadopted roadside verge at the junction of Baldovie Road and Kellas Road. There is no footway at this location and to the north are 2 cottages separated from this strip of grass by a wall and partly screened by trees and shrubs.

In close proximity to the proposed sign are 2 similarly sized V shaped signs for other housing developers (Betts and Stuart Milne Homes). Advertisement consent was granted for the Betts sign in November 2005 but there is no record of an application for the Stuart Milne sign.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

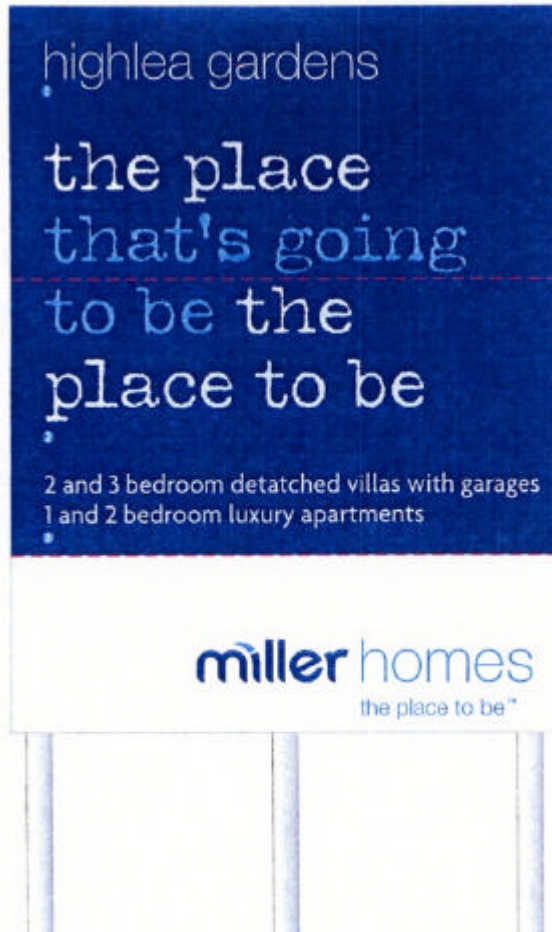
There are no policies relevant to the determination of this application.

Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 63: Advertising states that in determining the acceptability of advertisement displays on buildings and advertisement hoardings, each case will be judged on its merits. The following two aspects will be carefully considered:

- a the impact of the proposal on the visual amenity not only of the property itself but also neighbouring properties and the surrounding area; and
- b the impact of the proposal on public safety, particularly the safety of pedestrians, drivers and other road users.



Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Circular 10/1984 supports and explains the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. This advice indicates that in certain circumstances advertisements are capable of enhancing and improving the environment by adding colour and



interest. The circular encourages planning authorities to consider proposals for the display of

advertisements in as favourable a light as possible. The Circular also reminds planning authorities of Regulation 4 of the Regulations which govern the display of advertisements that control can only be exercised in the interests of amenity and safety.

Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application

SUSTAINABILITY ISSUES

This application does not raise any issues in terms of the Council's sustainability policies

SITE HISTORY

Advertisement consent was granted for the Betts Homes sign to the east of the currently proposed sign in November 2005 - application 05/00934/ADV refers. At that time it was anticipated that the sign would remain in place for 2 years although the consent permits the sign to be displayed for a period of 5 years.

PUBLIC PARTICIPATION

There is no statutory neighbour notification in respect of advertisement consent applications. However a letter of objection was received from the occupier of the cottage to the north west of the site. He considers that a sign of this size would adversely impact on his amenity particularly since he spends a lot of time in the garden, and he points out that his house and garden lie below the level of the road.

The objection is discussed in the "Observations" section below. Copies of the objection are available for viewing in the Members' Lounges.

CONSULTATIONS

There are no comments or objections from consultees.

OBSERVATIONS

In accordance with the provisions of Section 182 of the Act and paragraph 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the statutory requirement; and if not
- b whether an exception to the provisions of the statutory requirement is justified by other material considerations.

In terms of safety, the proposed sign would be outwith any sight lines at the junction of Baldovie Road and Kellas Road, and it is considered that there are no safety issues associated with the erection of this sign.

In terms of amenity, there is an issue in terms of the cumulative impact of a number of signs at this location. Although there are industrial premises further to the south east of the site on the opposite side of Baldovie Road, the immediate character of the area adjoining the application site is residential. Some screening is afforded by trees and shrubs but the low lying nature of the adjoining cottages means that the impact of the proposed sign will be significant.

The impact of the existing sign advertising Bett Homes on its own was considered to be acceptable and its prominence relative to the nearby houses was greatly reduced by the presence of mature trees nearby. The proposed sign will be more visible, particularly from Jubilee Cottage to the north west where screen planting is not significant. Furthermore it is considered that the cumulative impact of 2 large signs at this location would adversely affect the visual amenity of the area. It is therefore concluded that the proposals are not consistent with the provisions of the statutory requirement.

Other Material Considerations

The other material considerations to be taken into account are as follows:

A The Development Plan

The relevant provision of the development plan is Policy 63 of the adopted Dundee Local Plan Review 2005. This policy is very similar to the statutory requirement set out in Section 182 of the Act and paragraph 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. For the same reason as it was concluded under the statutory provisions that the development would have an adverse impact on amenity, it is considered that the development contravenes Policy 63 of the Local Plan.

B The Views of the Objector

The concerns of the objector with regard to the impact on amenity have already been considered in the context of the assessment of the development against the statutory requirement and the objectors concerns are supported in this case.

C Provision of Advance Signage for Housing Developments

It is understandable that housing developers will wish to have signage to direct customers to their housing sites. This can be achieved by finger post signage of a much more discreet nature in locations such as this where the erection of a large sign has an adverse impact on amenity. It is further suggested that the Stuart Milne sign, which does not have advertisement consent, will need to be investigated to see whether enforcement action should be pursued to secure its removal or its planning status regularised by an application for advertisement consent.

Design

In terms of amenity, there is an issue in terms of the cumulative impact of a number of signs at this location. Although there are industrial premises further to the south east of the site on the opposite side of Baldovie Road, the immediate character of the area adjoining the application site is residential. Some screening is afforded by trees and shrubs but the low lying nature of the adjoining cottages means that the impact of the proposed sign will be significant.

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presence of mature trees nearby. The proposed sign will be more visible, particularly from Jubilee Cottage to the north west where screen planting is not significant. Furthermore it is considered that the cumulative impact of 2 large signs at this location would adversely affect the visual amenity of the area.

CONCLUSION

The impact of an additional sign at this location would have an adverse impact on amenity contrary to the provisions of Section 182 of the Act and paragraph 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason:-

Reason

- 1 An additional sign at this location would have an adverse impact on amenity, and in particular the visual amenity enjoyed by the occupiers of the cottage to the north west of the site, contrary to the provisions of Section 182 of the Act and paragraph 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.