

Erection of Advertisement Sign

KEY INFORMATION

Ward West End

Address

484 Perth Road
Dundee
DD2 1LR

Applicant

Mr Richie Hawkins, 510 Perth
Road, Dundee

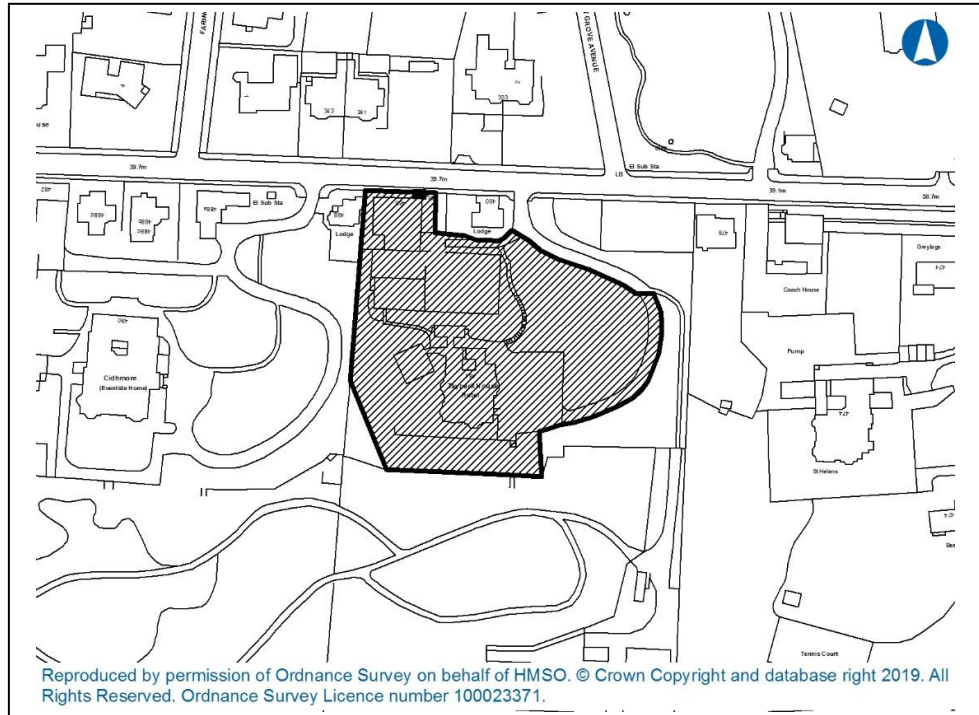
Agent

Aim Design

Registered 24 Sep 2019

**Report by Head of Planning
& Economic Development**

Contact: Siobhan Johnson



SUMMARY OF REPORT

- Advertisement consent is sought for the erection of a sign fixed to the north elevation of 486 Perth Road.
- The application is not in accordance with the Development Plan.
- No letters of representation have been received.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Development Management Committee at the request of a local member.
- More details can be found at <http://idoxwam.dundeeccity.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PYC41RGCMP000>.

RECOMMENDATION

The proposal is not in accordance with Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and does not comply with Policies 49 and 51 of the Dundee Local Development Plan 2019. There are no material considerations of sufficient weight to justify approval of advertisement consent. It is therefore recommended that advertisement consent be REFUSED.

1 DESCRIPTION OF PROPOSAL

- 1.1 Advertisement consent is sought for the erection of a sign fixed to the north elevation of 486 Perth Road.
- 1.2 The proposed sign would be 1.8 metres (length) x 1.6 metres (height). It would be a non-illuminated metal edge wrapped dibond sign with artwork on both sides. It would be fixed with clips and brackets to metal mid-grey painted posts which would be fixed into the face of the existing boundary wall and the north elevation of the property at 486 Perth Road. The boundary walls are Category B listed and consequently, fixing posts to these walls would require listed building consent. To date an application for listed building consent has not been submitted.
- 1.3 The applicant has submitted the following in support of the application:

Photographs and a map showing signs in the surrounding area.

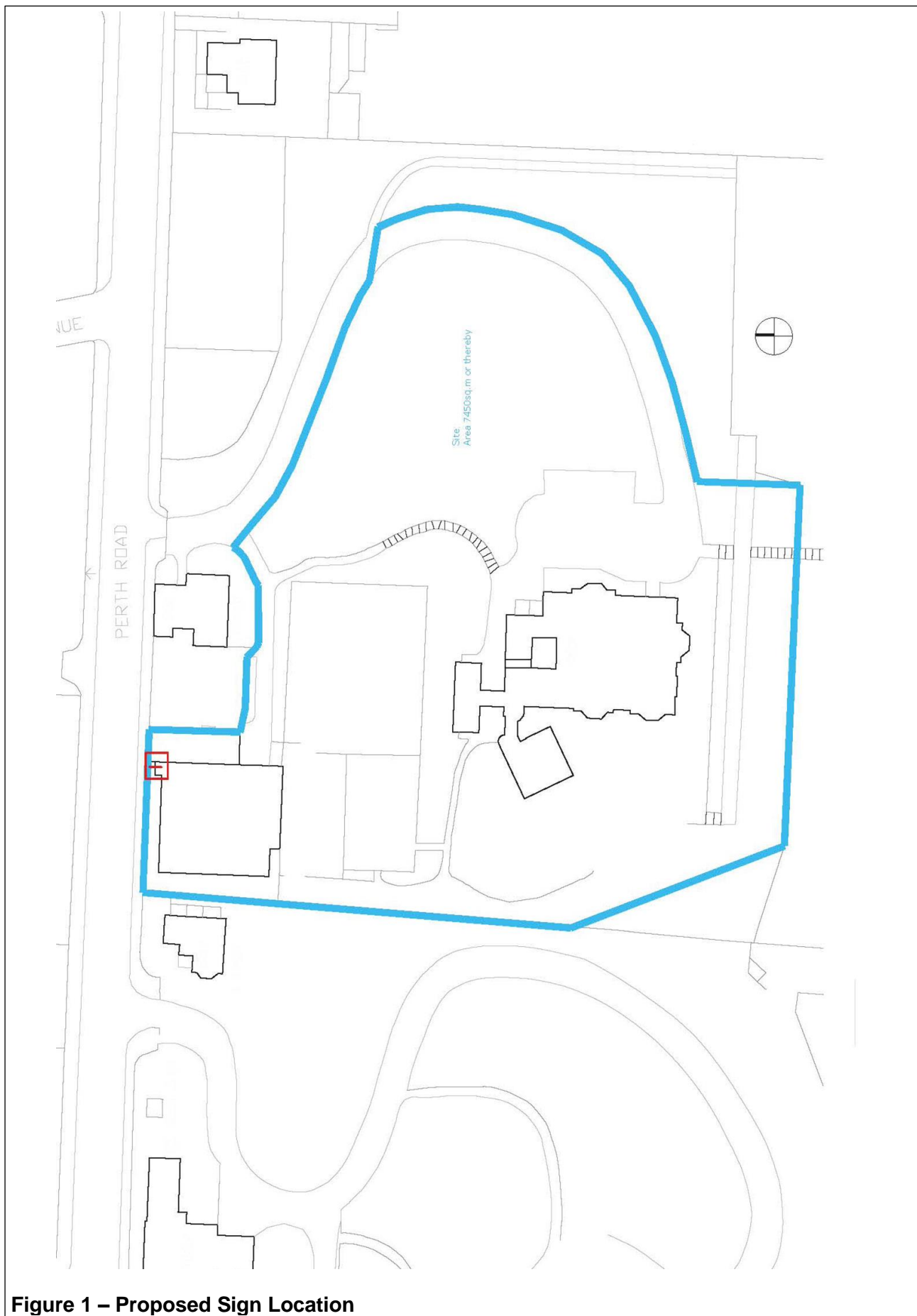


Figure 1 – Proposed Sign Location

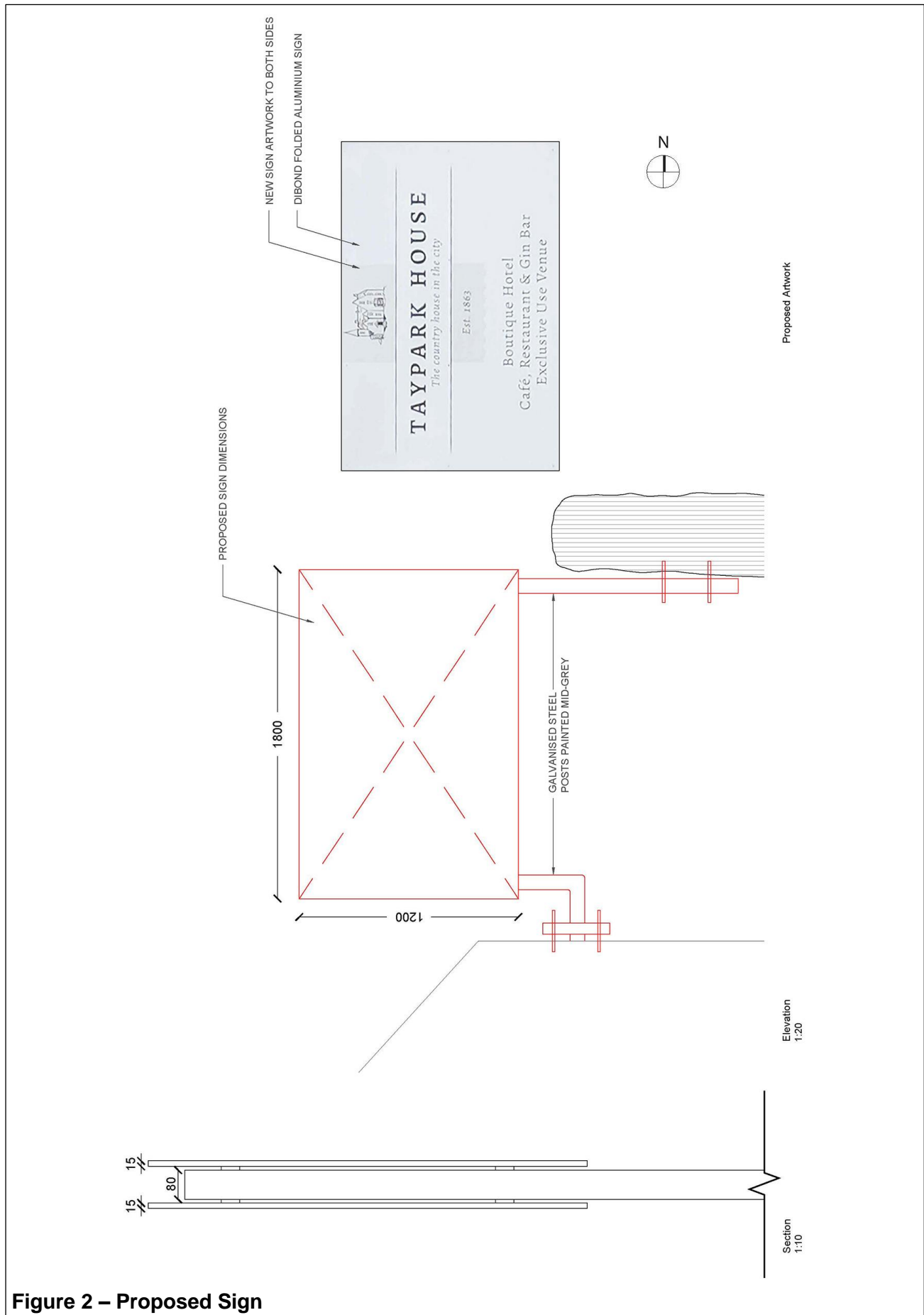


Figure 2 – Proposed Sign



Figure 3 – Artist's Impression

2 SITE DESCRIPTION

- 2.1 The application site is located on the south side of Perth Road within the West End Suburbs Conservation Area. The site is within the grounds of Taypark House which is a category B listed building. The boundary walls are also category B listed. Taypark House is a boutique guesthouse with a restaurant, bar and function room.
- 2.2 There are two illuminated signs located either side of the main entrance to the driveway into Taypark House.
- 2.3 In addition, there is a separate brown tourist sign advertising the site located on the north side of Perth Road opposite the site.



Figure 4 – Photograph of Existing Main Entrance



Figure 5 – Photograph of Proposed Site

3 POLICY BACKGROUND

3.1 The following plans and policies are considered to be of direct relevance:

TAYPlan 2016-2036

The application raises no issues of relevance.

DUNDEE LOCAL DEVELOPMENT PLAN 2019

Policy 1: High Quality Design and Place making

Policy 49 : Listed Buildings

Policy 51: Development in Conservation Areas

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

4 SITE HISTORY

4.1 Advertisement Consent (18/00314/ADV) for a box sign was withdrawn in June 2018.

4.2 Advertisement Consent (19/00316/ADV) for a pole sign was withdrawn in September 2019.

5 PUBLIC PARTICIPATION

5.1 No representations have been received.

6 CONSULTATIONS

6.1 No consultations were received.

7 DETERMINING ISSUES

STATUTORY DUTIES

7.1 Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

7.2 Regulation 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 provides that the powers conferred by the regulations (i.e. the control of advertisements) are exercisable only in the interests of amenity and public safety.

7.3 In respect of amenity planning authorities should determine the suitability of the use of the site in light of the "general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest" and in doing so may disregard any existing advertisements.

7.4 The application site is located within the West End Suburbs Conservation Area within the grounds of a category B listed building. It is proposed to erect two poles to fix the sign in place. One of the poles would be fixed to the north elevation of 486 Perth Road and the other

would be fixed to the south elevation of the stone boundary wall which is a Category B listed building. There are two existing unauthorised illuminated signs at the entrance of the property and a brown tourist sign advertising the venue is located on the opposite side of the road. The addition of the proposed sign would add to the proliferation of signs for this property within the West End Suburbs Conservation Area. There is no justification for the additional sign when there are three existing signs specifically identifying the site entrance. The additional sign would result in a proliferation of four signs advertising the property within this historic part of Perth Road and have an unacceptable impact on the character and appearance of the West End Suburbs Conservation Area.

- 7.5 Additionally, the proposed sign would be fixed to the Category B listed wall and would be within the setting of Taypark House which is itself a Category B listed building. The proposed sign would result in a feature measuring 1.8 x 1.6 metres in size protruding above the existing natural stone listed wall. The proposal would detract from the character and appearance of the listed building and the surrounding environment. The sign would therefore have an unacceptable impact on the character and appearance of the Category B listed building.
- 7.6 In terms of fixing this proposed sign to a residential dwelling, as the dwelling has two blocked up windows and a single window which serves a toilet on the north elevation this proposal would not impact on the amenity of this individual dwelling.
- 7.7 In considering public safety, the safety of persons and road users and the obscuring of statutory signage shall be the main considerations.
- 7.8 The proposed sign would be fixed to the wall and would not overhang the footway. The site itself is not considered to be a significant distraction to road users. As a result, it is considered that there would be no significant adverse impact on public safety at this site.
- 7.9 The proposal fails to satisfy the requirements of Regulation 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 in respect of amenity.

Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 7.10 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that special regard is given to the desirability of preserving listed buildings or their setting or any features of special architectural interest which they possess when determining applications for planning permission.
- 7.11 Section 64 of the Act requires that the Council have special regard to any buildings or other land in a conservation area and special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the area.
- 7.12 These matters have already been considered in the assessment of the proposed sign under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. As stated above there are existing signs advertising this location on Perth Road and this additional sign would add to the proliferation of signs within the surrounding area. It is considered that fixing the proposed sign to the boundary wall which is listed would have a negative impact on the Category B listed building and the West End Suburbs Conservation Area. Therefore the proposal would not preserve or enhance the listed building or the character of the surrounding conservation area.
- 7.13 It is concluded from the above assessment that by refusing this application the Council would be discharging its statutory duties in an appropriate manner.

MATERIAL CONSIDERATIONS

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

A – DUNDEE LOCAL DEVELOPMENT PLAN 2019

- 7.15 Policy 1 (High Quality Design and Place making), Policy 49 (Listed Buildings) and Policy 51 (Development in Conservation Areas) are the relevant policies in the consideration of the proposal.
- 7.16 Policy 1 (High Quality Design and Place making) seeks to ensure that all development proposals follow a design-led approach to sustainable, high quality place making. Appendix 1 of the Local Development Plan seeks to ensure the implementation of the six qualities of successful place in the design and layout of new developments. New development should respect the character and amenity of a place, create a sense of community and identity, enhance connectivity and incorporate creative approaches to urban design, landscaping and green infrastructure which are appropriate to the local context and scale and nature of the development.
- 7.17 The appearance and location of the proposed sign is not complementary to the listed building or the surrounding area as the sign would result in the proliferation of signs in the West End Suburbs Conservation Area. The proposal would not respect the character of the area. Consequently, the proposal does not comply with Policy 1.
- 7.18 Policy 49 (Listed Buildings) seeks to support new uses which give rise to the least impact on the historic fabric of the listed building. Alterations should be kept to a minimum and should preserve or enhance the appearance of the listed building. In addition, development within and outside the curtilage of a listed building should have consideration of the effect on the listed building and should seek opportunities to enhance the setting.
- 7.19 As discussed, the proposed sign would be fixed to the Category B listed boundary wall. The sign would protrude above the existing natural stone listed wall. Consequently, the proposal would detract from the character and appearance of the listed building and the surrounding environment. The sign would therefore have an unacceptable impact on the character and appearance of the Category B listed building. The proposal does not comply with Policy 49.
- 7.20 Policy 51 (Conservation Areas) expects that all development proposals will preserve or enhance the character of the surrounding area, retaining all features that contribute to the character and appearance of the conservation area.
- 7.21 As has been discussed, the proposal would result in a detrimental visual impact on the surrounding area due to the proliferation of signs. The proposed sign would detract from the character and appearance of the West End Suburbs Conservation Area. The proposal does not comply with Policy 51.
- 7.22 For similar reasons to those explained above, the proposal does not satisfy the requirements of the Dundee Local Development Plan 2019.

B - SUPPORTING INFORMATION

- 7.23 The applicant has submitted photographs of other signs within the area. Whilst it is recognised there are other signs within the area, each application must be assessed on its own merits. However, it is relevant to note that the other relevant properties do not have four signs advertising their property as proposed here. The proposed sign in terms of siting would lead to the proliferation of signs in the immediate area and add to the two unauthorised illuminated

signs at the main entrance and the brown tourist sign on Perth Road. As such, the proposal is considered to detract from the character and appearance of the surrounding area. The signage would have a detrimental impact on the Category B listed building and the West End Suburbs Conservation Area.

- 7.24 **It is concluded that there are no material considerations of sufficient weight that would justify approval of advertisement consent.**

8 CONCLUSION

- 8.1 The application would have an adverse impact on amenity and the character and appearance of a Category B listed building and the West End Suburbs Conservation Area. As a result, approval of the application would fail to satisfy the statutory duties contained in the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material considerations of sufficient weight that would justify approval of Advertisement Consent. Therefore it is recommended that Advertisement Consent be refused.

9 RECOMMENDATION

- 9.1 It is recommended that advertisement consent be REFUSED for the following reasons:
- 1 **Reason** - the application fails to comply with Policy 1 (High Quality Design and Place making), Policy 49 (Listed Buildings) and Policy 51 (Development in Conservation Areas) of the Dundee Local Development Plan 2019. The proposed sign would not preserve or enhance the character or appearance of the Category B listed building or the West End Suburbs Conservation Area and approval of it would be contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Regulation 4 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. There are no material considerations of sufficient weight to justify approval of the application.