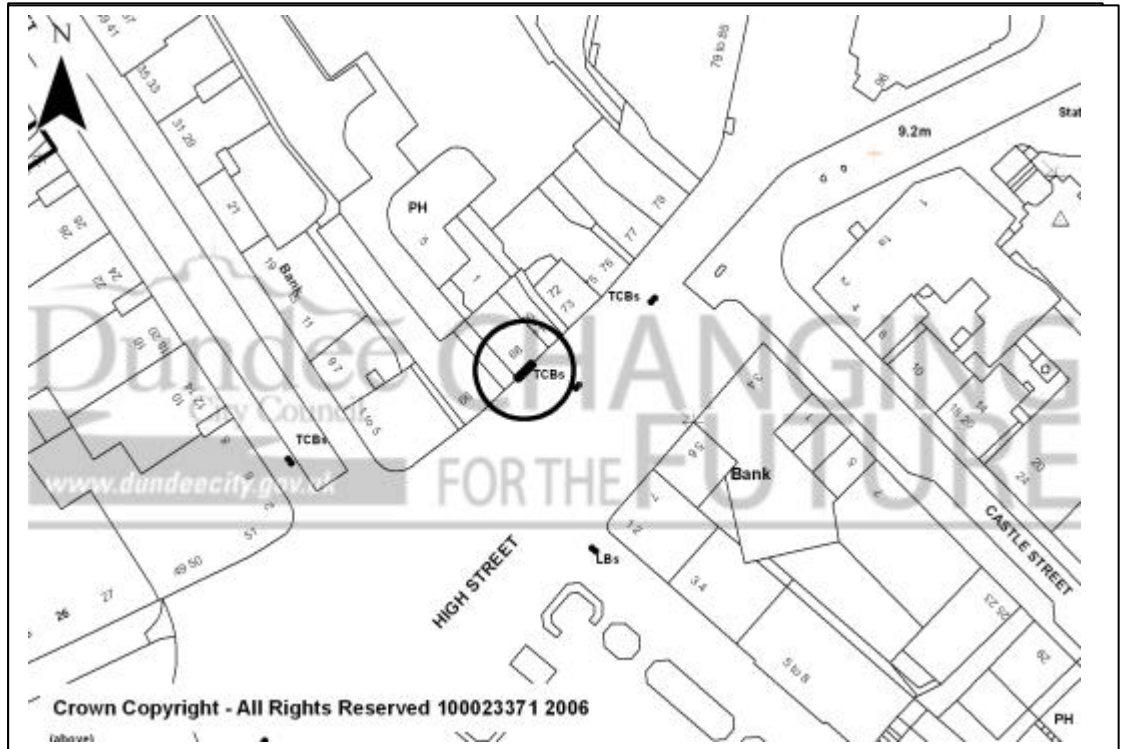


**KEY INFORMATION**

Ward Maryfield

**Proposal**

Installation of illuminated signage

**Address**68-69 High Street  
Dundee  
DD1 1SD**Applicant**Redwood Leisure Ltd  
Dunsinane House Ltd  
Dunsinane House  
Kilspindie Road  
Dunsinane Industrial Estate  
Dundee DD2 3JP**Agent**ARKTX Chartered Architects  
187 Strathmartine Road  
Dundee  
DD3 8BL**Registered** 22 Jan 2009**Case Officer** C Walker

## Consent sought for Advertising Sign in the High Street

Retrospective consent for the installation of illuminated signage is **RECOMMENDED FOR REFUSAL**.  
Report by Director of Planning and Transportation.

**RECOMMENDATION**

The design and location of the sign detracts from the appearance of this prominent listed building in the Central Area Conservation Area. The application is recommended for **REFUSAL**.

**SUMMARY OF REPORT**

- Advertisement consent is sought for a recently erected projecting box style internally illuminated advertising sign on the Northern Rock building at 68-69 High Street. The sign is intended to advertise the Arctic Bar through the pend beside it and is directly above another projecting sign advertising the same premises (also erected without consent). 68-69 High Street is a Category B listed building in the Central Area Conservation Area.
- The Control of Advertisement Regulations sets out the procedures for the assessment of this application and in addition Policies 60, 61 and 63 of the Local Plan are relevant.
- A valid objection from a member of the public indicates concerns about the appearance of the sign.
- The design and location of the proposed sign detracts from the appearance of this prominent listed building in the Central Area Conservation Area.

## DESCRIPTION OF PROPOSAL

Advertisement consent is sought for the erection of a projecting box style internally illuminated advertising sign with plastic acrylic faces. The sign is 610mm tall by 640 mm wide and 150mm in depth. The top of the sign is some 4 metres above ground level.

Although the sign is intended to advertise the Arctic Bar, it is not erected on that building but rather projects from the Northern Rock building at 68-69 High Street, just to the side of the pend leading into New Inn Entry and the Forum Centre. 68-69 High Street is a Category B listed building in the Central Area Conservation Area. The advertisement has already been erected on the building.

## SITE DESCRIPTION

The application site is the Northern Rock building at 68-69 High Street, Dundee. This Category B listed building (the listing also includes the Arctic Bar) is described as a late 18th century building. Despite alterations to the building it is listed partly due to its age and also because it forms part of the Category A group of buildings known as Gardynes Land. The site lies within the Central Area Conservation Area designated as "outstanding" by Historic Scotland. The site is also at a very busy location on the High Street.

A pend runs through the building leading to New Inn Entry and the Forum Centre as well as the Arctic Bar. There are fascia signs on the shop fronts on either side of the pend as well as a sign above the pend advertising the Forum Centre.

The sign which is the subject of the current application, and which has already been erected, sits directly above another projecting sign advertising the Arctic Bar for which there is no record of advertisement consent or listed building consent. This second sign is externally illuminated by overhead trough lighting.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

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

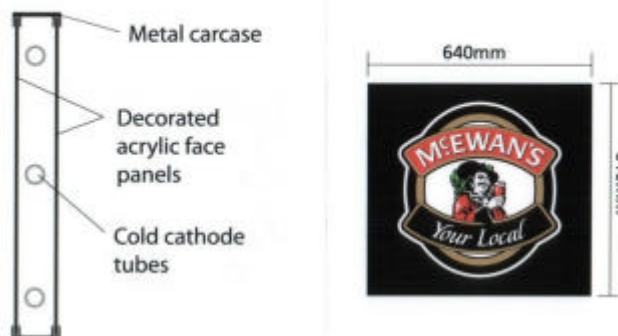


### Dundee Local Plan 2005

The following policies are of relevance:

Policy 60: Alterations to Listed Buildings - the alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its

### SECTION THROUGH DOUBLE SIDED INTERNALLY ILLUMINATED BOX SIGN



architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.

Policy 61: Development in Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area.

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 properly displayed 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.

SPP 23: Planning and the Historic Environment sets out the framework for dealing with applications relating to listed buildings. More detailed guidance is provided in the "Memorandum of Guidance on Listed Buildings and Conservation Areas" published by Historic Scotland. It suggests that new signs can have a major impact on the appearance, and thus the character, of a listed building and that any sign which is considered not to be appropriate in any way for a particular building should always be refused consent. It suggests that where signage is permitted it should be restricted to the name of the premises and the service provided and that trade advertising should not be permitted. It states that the need for projecting signage should always be questioned and that if their presence is justified,

their size, materials and design should be carefully controlled. Finally, it states that in most situations signs should not be illuminated but where there is a definite need for lighting then this should be unobtrusive.

### Non Statutory Statements of Council Policy

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

### SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

### SITE HISTORY

There is no site history of direct relevance to the application site.

### PUBLIC PARTICIPATION

There is no statutory neighbour notification in respect of advertisement consent applications. The application was advertised as affecting the listed building on which it was erected and the setting of the conservation area.

A valid objection from a member of the public indicates concerns about the sign not fitting in to the city centre and cheapening the area.

Members will already have had access to this letter and the points raised are considered in the Observations Section of this Report.

### CONSULTATIONS

No adverse comments were received from statutory bodies.

### OBSERVATIONS

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

In accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, special consideration must be

given to the effects of the proposed development on the character and appearance of the conservation area.

There are no safety issues associated with this sign and it is considered that the sign is located in such a position that there will be no impact on the free and safe passage of pedestrians or occasional service vehicles.



In respect of amenity, planning authorities should determine the suitability of the use of the site in the 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.

In this case the sign has been erected on a Category B listed building (part of a group of A listed buildings) in a very prominent location in the Central Area Conservation Area. Listed building consent is also required for this sign but no application has been submitted.

It is considered that the sign which has been erected and for which consent is now sought detracts from the character and appearance of the listed building on which it has been erected and from

the character and appearance of the Central Area Conservation Area.

Firstly the design of the sign itself is not in keeping with the listed building. It is essentially a modern projecting plastic box internally illuminated sign. If a sign was to be permitted at this location then a traditional appearance would be expected and illumination should be avoided. In addition the sign is not erected on the premises to which it relates but rather is in the form of remote signage advertising a business off the High Street in New Inn Entry. Permitting remote signage in circumstances such as this can lead to significant pressures from other businesses off the High Street seeking similar advertisement of their businesses. Finally, the presence of an existing unauthorised advertising sign for the same premises directly underneath the sign currently being applied for

worsens the situation both with regard to the impact on the listed building and the conservation area in terms of negative visual impact and clutter. This sign runs directly contrary to the advice set out in the Memorandum of Guidance on Listed Buildings and Conservation Areas with regard to projecting signage, illumination and function of the signage.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires special consideration to be given to the effects of this proposal on the character and appearance of the Central Area Conservation Area. For the reasons set out in the assessment of the proposal against the Control of

Advertisements Regulations it is considered that this signage detracts from the character and appearance of the conservation area.

### Other Material Considerations

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

### The Development Plan

Policies 60, 61 and 63 are all relevant to the determination of this application. In essence Policy 63 on signage repeats the requirements of the Control of Advertisements Regulations and

Policy 61 repeats the statutory duty under Section 64 of the Act. It is considered that the proposal contravenes both these policies for the reasons set out in the assessment of the development against the statutory requirements above. Policy 60 relates to the protection of listed buildings and again this matter has been fully considered in the assessment of the proposal against the requirements of the Control of Advertisements Regulations and it was concluded that the signage detracts from the character and appearance of the listed building. Listed building consent is also required for this signage but no application has been submitted. It can be concluded from the foregoing that the proposal contravenes Policies 60, 61 and 63 of the adopted Local Plan.

## Memorandum of Guidance on Listed Buildings and Conservation Areas

The detailed guidance on advertising signage on listed buildings and in conservation areas as set out in the "Memorandum of Guidance on Listed Buildings and Conservation Areas" has been fully taken into account in the assessment of the proposal against the requirements of the Control of Advertisement Regulations and it was concluded that the signage runs directly contrary to the advice set out in that document.

## Objections

A valid objection was received from a member of the public to the effect that the sign is not appropriate at this city centre location. For the reasons set out above in the assessment of the proposal against the statutory requirements above, the concerns of the objector are considered to be valid.

## Advertisement of the Premises

If Members are minded to refuse this application in accordance with the terms of this report, then the next course of action would be enforcement action against both of the projecting signs which have been erected at this location.

The circular explaining the Advertisement Regulations encourages planning authorities to consider proposals for the display of advertisements in as favourable a light as possible. Whilst the current

proposal is unacceptable, it may be the case that the erection of a single non illuminated timber projecting sign at this general location might be acceptable and the applicants have been written to inviting them to discuss this matter. The applicants have responded stating that they are happy to submit an application to retain the second unauthorised sign at this location and to submit retrospective listed building applications for the signage. However they did not respond to the offer to discuss removing both signs and discussing an alternative traditional style sign.

## Design

This sign is a modern projecting plastic box internally illuminated sign which detracts from the appearance of the listed building on which it is erected and from the appearance of the Central Area Conservation Area.

---

## CONCLUSION

---

It is concluded that the design, materials and method of illumination of the proposed sign detracts from the appearance of this prominent listed building in the Central Area Conservation Area and its location directly above another projecting sign results in visual clutter on this prominent listed building.

---

## RECOMMENDATION

---

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

- 1 The sign detracts from the character and appearance of the listed building on which it has been erected and from the character and appearance of the Central Area Conservation Area by reason of its design, materials and method of illumination and its location directly above another projecting sign resulting in visual clutter on this prominent listed building.