

Garioch Area Committee Report – 17 September 2019

Reference No: APP/2018/2802

Advertisement Consent for Display of Advertisements (on Building) at Site to the East of Unit 1, Kingshill Commercial Park East, Venture Drive, Arnhall Business Park, Westhill

Reference No: APP/2018/2803

Advertisement Consent for Display of Advertisements (Totem) at Site at Straik Road, Westhill

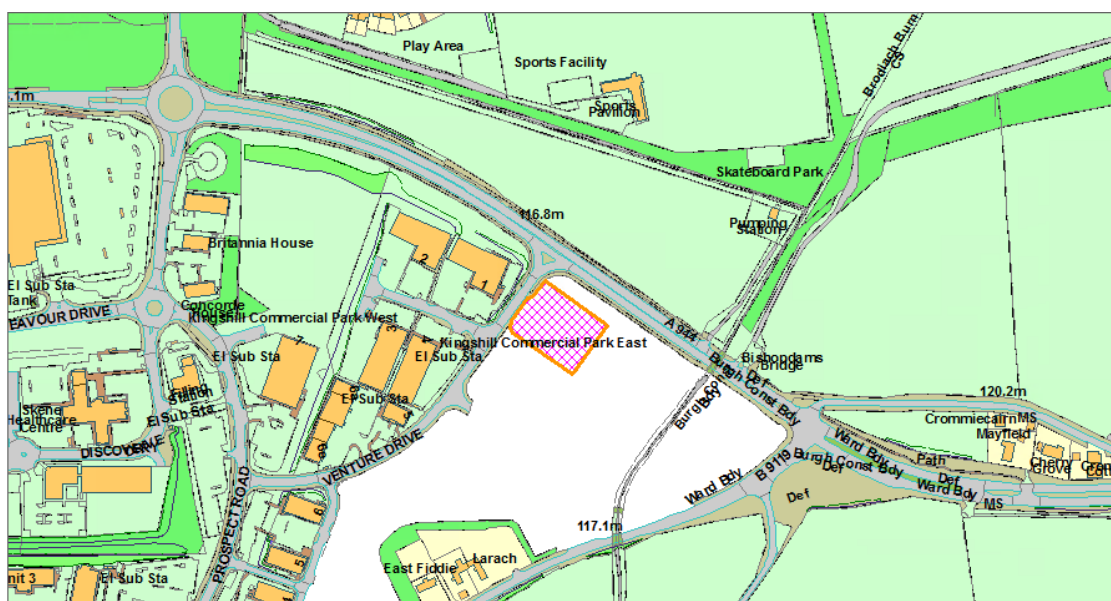
Reference No: APP/2019/1865

Advertisement Consent for Installation of 4 Freestanding Digital Illuminated Signs, 3 Banner Signs, 12 Directional Signs and 1 Illuminated Play Land Logo at Site at Straik Road, Westhill

Applicant: McDonalds Restaurants Ltd

Agent: Planware Ltd

Grid Ref:	E:383888 N:806437
Ward No. and Name:	W13 – Westhill and District
Application Type:	Advertisement Consent
Representations:	0
Consultations:	APP/2018/2802- 1, APP/2018/2803-1, APP/2019/1865-1
Relevant Proposals Map Designations:	Within Westhill Settlement, OP2
Complies with Development Plans:	Yes
Main Recommendation:	Grant



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1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item as it made a request to the Head of Planning & Environment that he choose not to exercise his delegation and he is agreeable to the request. This is due to the level of public interest in the application site.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and any comments have been incorporated into the report to ensure it complies with the Scheme of Governance and relevant legislation.

2. Background and Proposals

- 2.1 Approval is sought for three advertisement consent applications for a site within the Kingshill Commercial Park, Arnhall, Westhill. The site is proposed to be occupied by a single storey restaurant with drive-thru with McDonalds Restaurants the intended end user; this was granted full planning permission subject to conditions at the Garioch Area Committee on 27 August 2019. All advertisement consent applications are within the restaurant application site.
- 2.2 The site is located within the Westhill settlement boundary, towards the south east edge. The site is situated to the south west of the A944 between Aberdeen and Alford, approximately 100m to the north west of the Aberdeen City boundary which is defined by the Brodiach Burn. The application site also forms part of the north east corner of Aberdeenshire Local Development Plan 2017, OP2, 'Arnhall Gateway' site. The OP2 site is a triangular site of 4.4ha and is designated for employment land which is defined as class 4, 5 and 6 use. OP2 is bounded by the A944 to the north east and partially by Venture Drive to the north west. The south eastern boundary of OP2 is partially bounded by the B9119 between Westhill and Garlogie. Centrally on the south eastern boundary of the OP2 site are 3 residential properties, East Fiddie a two storey traditional detached property and East Fiddie Steading a traditional U-shaped steading divided into two dwellings.

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- 2.3 This application proposes three roof signs, each 5.4m wide and 0.6m high. They will be located on the roofs of the north west, south east and south west elevations and have white illuminated lettering. In addition to the white lettering, the south west elevation will also feature a yellow illuminated 'golden arch M' which will be 1.0m wide and 0.9m high. The north east elevation (parallel to A944) will feature two square 1.3m by 1.3m matt green aluminium signs which will be internally illuminated and feature a yellow 'M'.

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- 2.4 This application proposes an 8m high totem located in the north east corner of the site. It will be double sided alongside the A944 and will comprise a long pole with three rectangular double-sided signs affixed. The top sign will be an illuminated backlit yellow letter 'M' on a dark green aluminium background of 1.25m high and 1.44m wide. The middle sign is shown as blank wood effect aluminium 0.93m high by 1.4m wide and the third sign on the post will be a directional 'drive thru' sign with white and yellow writing on a dark green aluminium background.

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2.5 This application proposes three digital double menu boards 1.6m wide by 2.1m high with an illuminated monitor and aluminium panels of grey. Located within the drive thru area, one is in the middle island where the lanes separate and two are on either side of the island where the drive thru lanes converge towards the north east corner of the site. A single digital menu board of 0.85m wide by 2.1m high is proposed at the entrance of the drive thru. The sign will have an illuminated monitor and will have panels of grey steel. Two customer order display (COD) units with speaker points and illuminated letters of 0.53m wide by 1.5m high are proposed to be located under 3m, non-illuminated grey canopies. The CODs and canopies will be located centrally in the drive thru to serve each lane. A non-illuminated 'goal post' height restrictor in grey located at the entrance at the drive thru and three post-mounted banner units are proposed to be located in the south east corner of the site, the centrally along the north east boundary of the site and on the south east corner of the site. The banners will be 4.8m wide by 1.5m high. The signs will be illuminated, grey in colour and perforated with McDonalds text. There will be a 'Playland' sign of 1.1m wide by 1.1m high in aluminium painted in khaki green which will be internally illuminated and located within the play park on the play equipment. There will be a further eight small directional and orientation signs located around the site signposting Accessible Access, No Entry, Give Way, Order Bays 1 and 2, Pedestrian Crossing, Look Right and Motorcycle Parking Bay. All these signs will be non-illuminated aluminium sign panels with applied vinyl graphics on a metal signpost affixed by concrete. The height above ground will be no more than 0.90m.

2.6 Planning History

- APP/2006/2551 – Outline Planning Permission for Business and Industrial Development (Phase 3), Approved 11/09/2012.
- APP/2013/2276, Full Planning Permission, Formation of Infrastructure Including Roads and Drainage, Approved 20/09/2013.
- APP/2013/3019 – Approval of Matters Specified in Conditions 3 (Phasing), 4 (Design Statement), 5 (Strategic Landscaping), 7 (Travel Plan), 8 (Tree Management Scheme), 9 (Waste Management Scheme), 10 (Construction Method Statement), 11 (Noise Assessment), 12 (Archaeological Investigation) and 13 (details of ground preparation works phase only) of Planning Permission in Principle (Ref: APP/2006/2551) (Revised Details Submitted), Refused 25/07/2014, Approved on Appeal 25/11/2014.
- APP/2014/1356, Variation of Conditions, Planning Permission Reference: APP/2006/2551: Condition 1: Extend Time Limit for Submission of Matters Specified and Condition 14: Adjust Floorspace in Accordance with Revised Transport Assessment , Approved 17/11/2014 (extension of time only), Approved on Appeal to Scottish Ministers 25/02/2015 (extension of time and adjusted floorspace to accord with revised transport assessment).
- APP/2014/2981, Approval of Matters Specified in Conditions, 3 (Phasing), 4 (Design Statement), 5 (Strategic Landscaping), 7 (Travel Plan), 8 (Tree Management Scheme), 9 (Waste Management Plan), 10 (Construction Method Statement), 11 (Noise Assessment), 12 (Archaeological Investigation) and 13 (Details of Ground Preparation Works for Part of Site only) of Planning Permission in Principle Ref. APP/2006/2551, Approved 14/11/2014.

- APP/2014/3000, Full Planning Permission, Variation of Conditions 5 & 6 (Strategic Landscaping) of Planning Permission in Principle Ref. APP/2006/2551 for Business & Industrial Development (Phase 3), Approved 13/10/2014
- APP/2014/4313, Planning Permission in Principle, Business and Industrial Development (Phase 3) without complying with Condition 14 (Floorspace) of APP/2006/2551, Approved 24/02/2015
- APP/2017/2868, Planning Permission in Principle, Non Compliance with Condition 1 (Time) of Planning Permission in Principle Reference APP/2014/1356 Variation of Conditions on Planning Permission Reference: APP/2006/2551: Condition 1: Extend Time Limit for Submission of Matters Specified and Condition 14: Adjust Floorspace in Accordance with Revised Transport Assessment, Approved 05/02/2018
- APP/2018/2800, Full Planning Permission for Erection of Single Storey Restaurant with Drive-thru, Play Area and Associated Works (Sui Generis) at Site at Straik Road, Westhill, Aberdeenshire, Approved 06/09/2019
- APP/2019/0692, Full Planning Permission, Non Compliance with Condition 1 (Time) of Planning Permission in Principle Reference APP/2014/1356 Variation of Conditions on Planning Permission Reference: APP/2006/2551: Condition 1: Extend Time Limit for Submission of Matters Specified and Condition 14: Adjust Floorspace in Accordance with Revised Transport Assessment Without Compliance with Condition 13 (Total Floorspace) and Condition 20 (Class 4 Floorspace) of Planning Permission Reference APP/2017/2868, Approved June 2019

Variations and amendments

- 2.7 Based on feedback from the Planning Service, the applicant has revised the height of the totem from 12m in height down to 8m in height. An amended elevation drawing has been submitted to application APP/2018/2803. It should also be noted that APP/2018/2801 for Display of Advertisements (1 Height Restrictor, 8 Freestanding, 1 Side by Side Directional, 3 Banners, 10 DOT, 1 Play Area) was withdrawn as the agent has advised that the applicant wishes to proceed with APP/2019/1865 instead for new digital signage that is being rolled out by their client.

3. Representations

- 3.1 No valid letters of representation have been received for APP/2018/2802, APP/2018/2803 and APP/2019/1865.

4. Consultations

APP/2018/2802

- 4.1 **Infrastructure Services (Roads Development)** does not object to the proposal and has no comments to make.

APP/2018/2803

- 4.2 **Infrastructure Services (Roads Development)** does not object to the proposal and has no comments to make.

APP/2019/1865

4.3 **Infrastructure Services (Roads Development)** does not object to the proposal and has no comments to make.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

5.3 Aberdeenshire Local Development Plan 2017

Policy P1: Layout, siting and design

5.4 Other Material Considerations

The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended)

In the interests of amenity, the Regulations require the planning authority to determine the suitability of the use of a site for the display of advertisements in light of the general characteristics of the locality. Furthermore, the planning authority must also consider whether the display of advertisements would have any adverse effect on public safety.

6. Discussion

6.1 Under Policy P1 of the 2017 plan only development designs that demonstrate the six qualities of successful places will be approved. Developments should be distinctive, safe and pleasant, welcoming, adaptable, efficient and well connected. Where appropriate, measures to enhance biodiversity and minimise waste generation may require to be identified.

6.2 The 1984 Advertisement Regulations require the planning authority to determine the suitability of the use of a site for the display of advertisements in light of the general characteristics of the locality and to consider whether the display of advertisements would have any adverse effect on public safety.

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6.3 The proposed three roof advertisements are located within the site. The signs though large are easily contained within the roof space and unobtrusively sited by virtue of the absence of a large sign on the north east elevation that directly faces the A944. The additional 'M' to the south west elevation and the modest sized signs to the north east elevation are considered appropriate. All the signs are illuminated but static and would not detract from the amenity or character of the building or the appearance of the immediately surrounding area, which is within an existing business park and characterised by commercial buildings with modern signage. The proposed advertisements would not result in any public safety hazard and Roads Development has raised no objections on road safety terms to the application and has made no further comments.

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6.4 The totem was originally proposed to be a height of 12m. Following feedback on the potential for a negative impact on amenity due to the original scale. The applicant agreed to lower the totem by 4m to a height of 8m. It is considered that 8m is a far more acceptable height in the context of the site and the surrounding area. The sign is illuminated but static and would not detract from the amenity or character of the building or the appearance of the immediately surrounding area, which is within an existing business park and characterised by commercial buildings with modern signage. The proposed advertisements would not result in any public safety hazard and Roads

Development has raised no objections on road safety terms to the application and has made no further comments.

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- 6.5 The majority of the signs in this application are small in size and are wholly contained within the site. The signs are predominantly functional and not considered to be excessive in terms of number or scale. Further details were requested from the agent as the above application was an updated application (to the withdrawn APP/2018/2801) which accommodates some new digital boards that the applicant is rolling out at their restaurants. The agent has confirmed that all signage is static but will change during the day for different menus and the CODs change once an order is placed but these would not be readily visible from outwith the site. Further clarification was sought on the three larger banner signs that occupy the north western corner, north eastern boundary and south eastern corner of the site. The banners though illuminated will be static. It is therefore considered that all the proposed signs would not detract from the amenity or character of the building or the appearance of the immediately surrounding area, which is within an existing business park and characterised by commercial buildings with modern signage. The proposed advertisements would not result in any public safety hazard and Roads Development has raised no objections on road safety terms to the application and has made no further comments.

Conclusion

- 6.6 The advertisements would comply with Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan and the 1984 Advertisement Regulations.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An Equality Impact Assessment is not required because it is considered that the proposed development would not have an adverse differential impact on people with protected characteristics.

- 8.2 There are no staffing and financial implications.

- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

None

10.3 The application is not a Departure from the Local Development Plan and Strategic Development Plan and no departure procedures apply.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 GRANT Full Planning Permission

For clarity, unconditional approval is recommended for APP/2018/2802, APP/2018/2803 and APP/2019/1865.

11.2 Reason for Decisions

The advertisements would comply with Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan and the 1984 Advertisement Regulations. As such, the application is recommended for approval.

Stephen Archer
Director of Infrastructure Services
Author: Hilary Wilkinson (Planner)
Date: 05/09/2019