

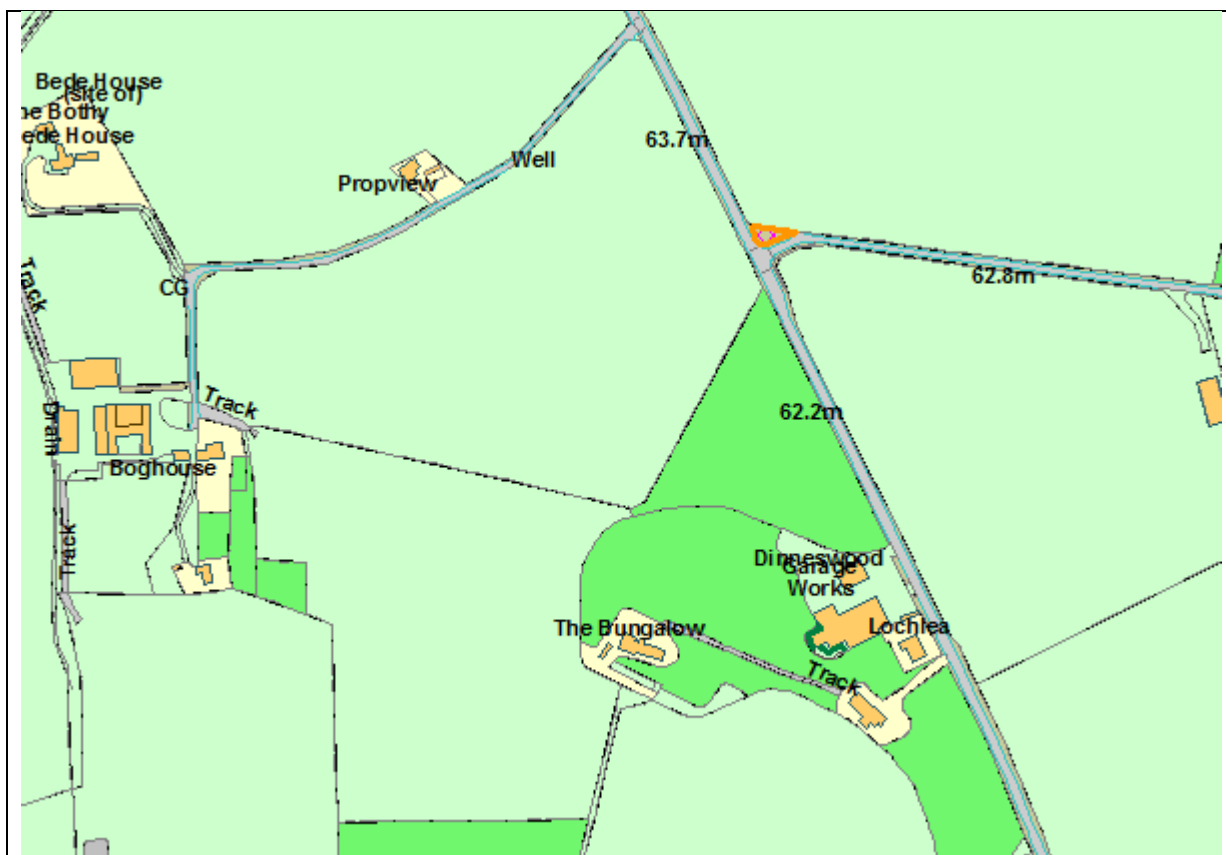
Formartine Area Committee Report - 7 February 2017

Reference No: APP/2016/3158

**Advertisement Consent for Erection of Signage at Site at Ythsie, Tarves, Ellon,
Aberdeenshire, AB41 7LR**

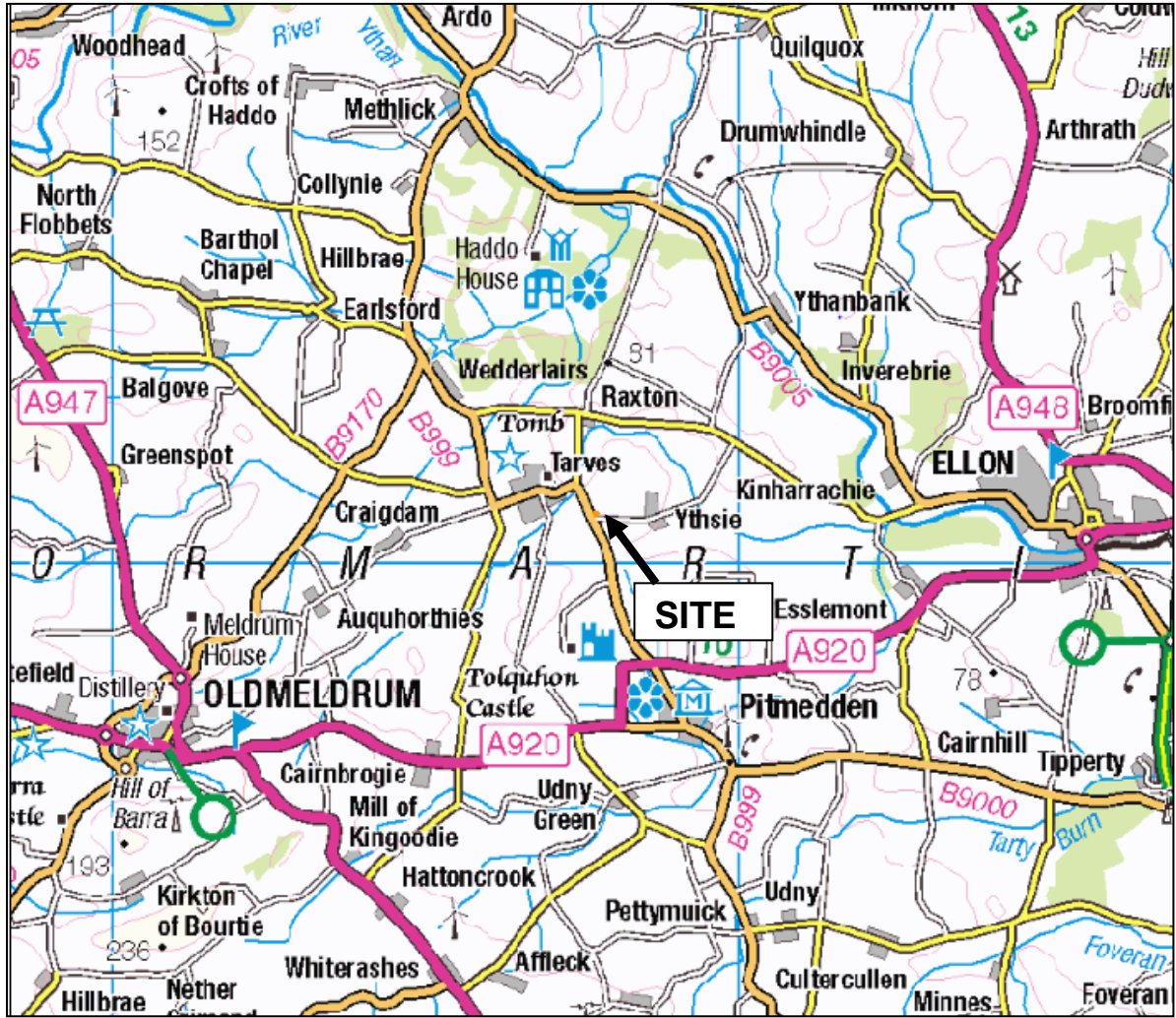
Applicant: Churchill Homes (Aberdeen) Limited
Agent: No Agent

Grid Ref:	E:387732 N:830782
Ward No. and Name:	Mid-Formartine
Application Type:	Advertisement Consent
Representations:	0
Consultations:	2
Relevant Proposals Map:	Aberdeenshire Local Development Plan
Designations:	AHMA
Complies with Development Plans:	Yes
Main Recommendation:	Grant



NOT TO SCALE

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1. Reason for Report

- 1.1 The committee is able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from Tarves Community Council.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 The applicant seeks retrospective advertising consent for the erection of signage at the site at Ythsie, Tarves.
- 2.2 The site is located on a grass verge, approximately 700m south-west of Tarves in the corner of a field adjacent to the road junction between the B999 and the public road (See Appendices 1 and 2 showing the location and site plan). Dinneswood Garage is located approximately 200m to the south of the site. The site is adjacent to an open field and consists of flat open ground. There is a timber mast to the north of the location of the proposed signage. There are also open fields to the east, south and west.
- 2.3 The proposal is for the erection of a V-type sign with 2 advertising boards each measuring 2.4m wide by 3m high. The bottom of the sign boards are 1.1m above ground level. The signage is supported by 3 timber poles (painted black), with gold painted timber 'caps' on the top of each pole. The boards are made from composite aluminium dibond. The signage advertises the housing development by Churchill Homes on a site at Ythsie, 800m away. The design of the signage can be seen on the elevation plan (Appendix 3).
- 2.4 Relevant Planning History
 - APP/2015/1895 – 1 V-type sign & 1 single aspect sign (Advertisement Consent) (Application returned)
 - APP/2010/3994 – Erection of signage (Advertisement Consent) (Approved on 10 February, 2011 for a period of 2 years)

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Infrastructure Services (Roads Development)** has stated that the signage is positioned outwith the visibility splay area and does not affect visibility at the junction. They have no comments to make on the application.

- 4.2 **Tarves Community Council** have objected to the duration of the period of consent for the advertising, and request that it is limited to a period of 3 years with a condition dictating its removal at the end of the period of permission. The Community Council letter can be seen as (Appendix 4).
- 4.3 Clarification has been sought from the Community Council as to whether they would withdraw their objection if these conditions were met by the applicant. They had until 23 January, 2017 to respond. To date the Planning Service have not received any further comments on their position. The Committee will be verbally updated if any response is received.

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.

5.3 Aberdeenshire Local Development Plan 2012

Policy 8 Layout, siting and design of new development
SG LSD2: Layout, siting and design of new development

5.4 **Proposed Aberdeenshire Local Development Plan – Report of the examination**

**Proposed Aberdeenshire Local Development Plan 2017
The Town and Country Planning (Development Planning) (Scotland)
Regulations 2008**

The Report of Examination of the Aberdeenshire Local Development Plan was issued on 19 December 2016, and subsequently published on 21 December 2016.

There are recommended changes to policies and sites within the Examination Report. Reports to Area Committees will be on the 24 and 31 January 2017 and 7 February 2017 with a final Report to Full Council on 9 March 2017.

In the interim period, until the adoption of the Local Development Plan, in respect of development management decisions, elements of the emerging plan, as adjusted to reflect the Reporter's recommendation, will carry significant material weight, which will need to be considered in the assessment of all planning applications.

5.5 Other Material Considerations

Town and Country Planning (Control of Advertisement) (Scotland)
Regulations 1984

Under the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, when determining an application for advertisement consent the powers of the Planning Authority are only exercisable in two respects, amenity and public safety. In terms of amenity, the Planning Authority are obliged to take account of the general characteristics of the area, particularly any features or architectural, historic or cultural interest. In terms of public safety, the Planning Authority must have regard to the potential effect of the proposed advertisement on road traffic signs, railway signals or any aid to navigation by water or air.

6. Discussion

6.1 The display of advertisements is controlled by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. In considering proposals for advertisements, determination by a Planning Authority can only be made on two criteria, namely amenity and public safety

6.2 The proposed Aberdeenshire Local Development Plan referred to in the 'Relevant Policies' section of this report would assess this particular proposal

in the same manner as the extant Aberdeenshire Local Development Plan 2012. Consequently, if it is considered to comply with the existing policies of the current plan, it is considered that the proposal would also be acceptable in relation to the proposed plan.

- 6.3 A sign of similar dimensions but featuring a different design that advertised the same housing development was approved on this site as part of the approved application APP/2010/3994. The permission lasted for 2 years from the date the application was granted. A subsequent application for an updated design on the advertising boards was submitted under APP/2015/1895. The 2015 application was returned to the applicant due to it being invalid, as it featured two different sites for the signage as part of the same application. These should either have been submitted as two separate applications, or amended so that both signs were within one red-lined site boundary.
- 6.4 At the time of the site visit it was apparent that the proposed signage already exists on the site, and does not currently have permission.
- 6.5 Policy 8 and the subsequent supplementary guidance policies aim to safeguard and enhance the character and amenity of existing buildings and the surrounding area from the development of poorly designed proposals. All new development should respect their setting and be in keeping with the character of the surrounding area.
- 6.6 As the signage is non-illuminated the visual impact on the surrounding area is considered minor. Its location next to a telegraph pole also means that it is neither visually dominant in the landscape, nor isolated in an area of unspoilt countryside.
- 6.7 Policy also states that advertisements should not result in any road safety issues or cause hazard to the public. Roads Development was consulted and has no comments on the proposal. The signage is modest in scale and does not provide a visual distraction for drivers and it is situated outwith the required visibility splay for the road junction. Therefore, it is considered the signage would have no negative impact on road safety.
- 6.8 It is therefore considered that the proposal is acceptable, and in full compliance with the policies identified in the Aberdeenshire Local Development Plan 2012 and The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Therefore, it is recommended that advertisement consent be granted.

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. Equalities, Staffing and Financial Implications

8.1 An equality impact assessment is not required because the proposed development is not considered to give rise to any differential impact on any of the protected characteristics.

8.2 There are no staffing and financial implications.

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 or the 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

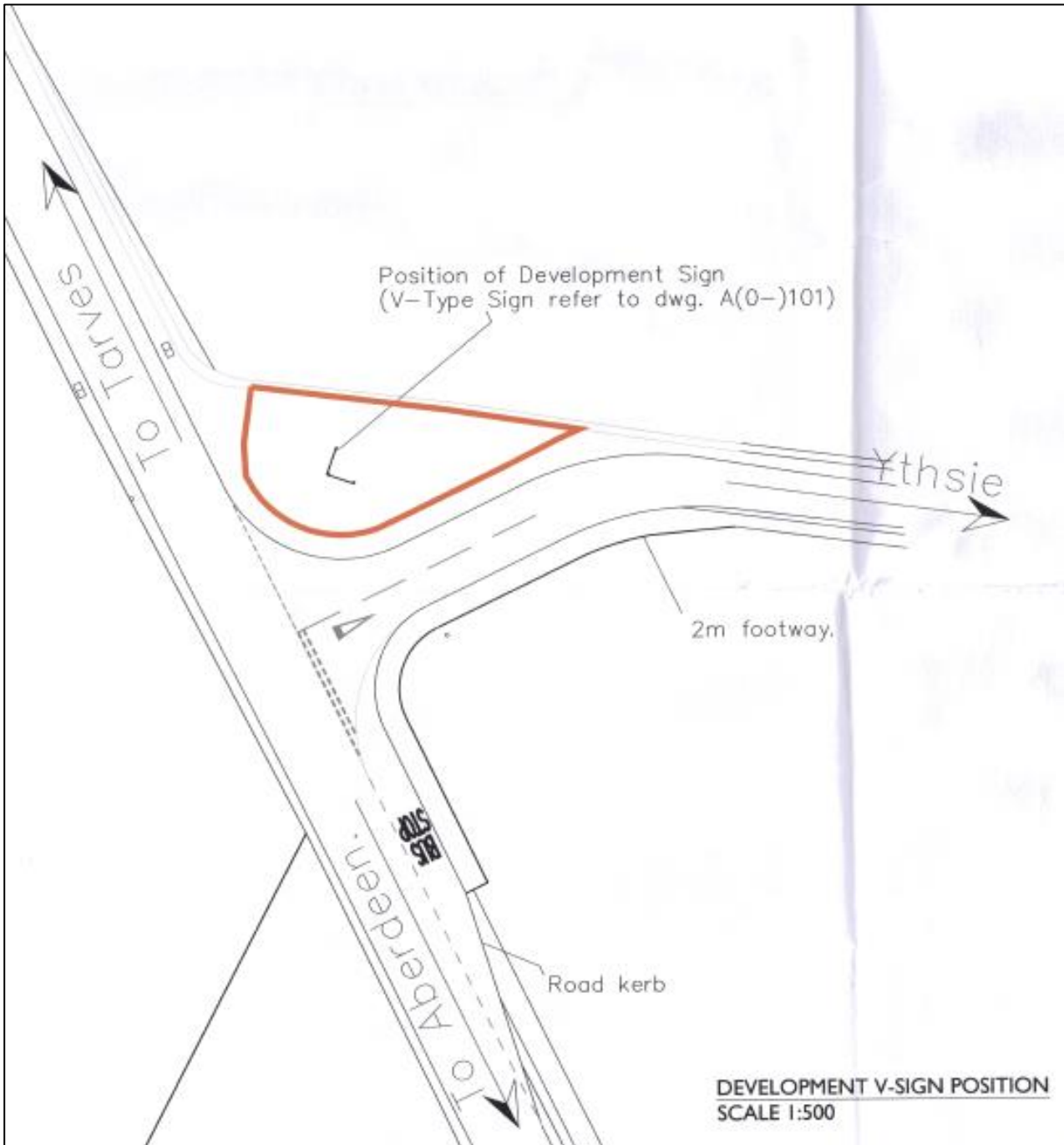
11.1 GRANT

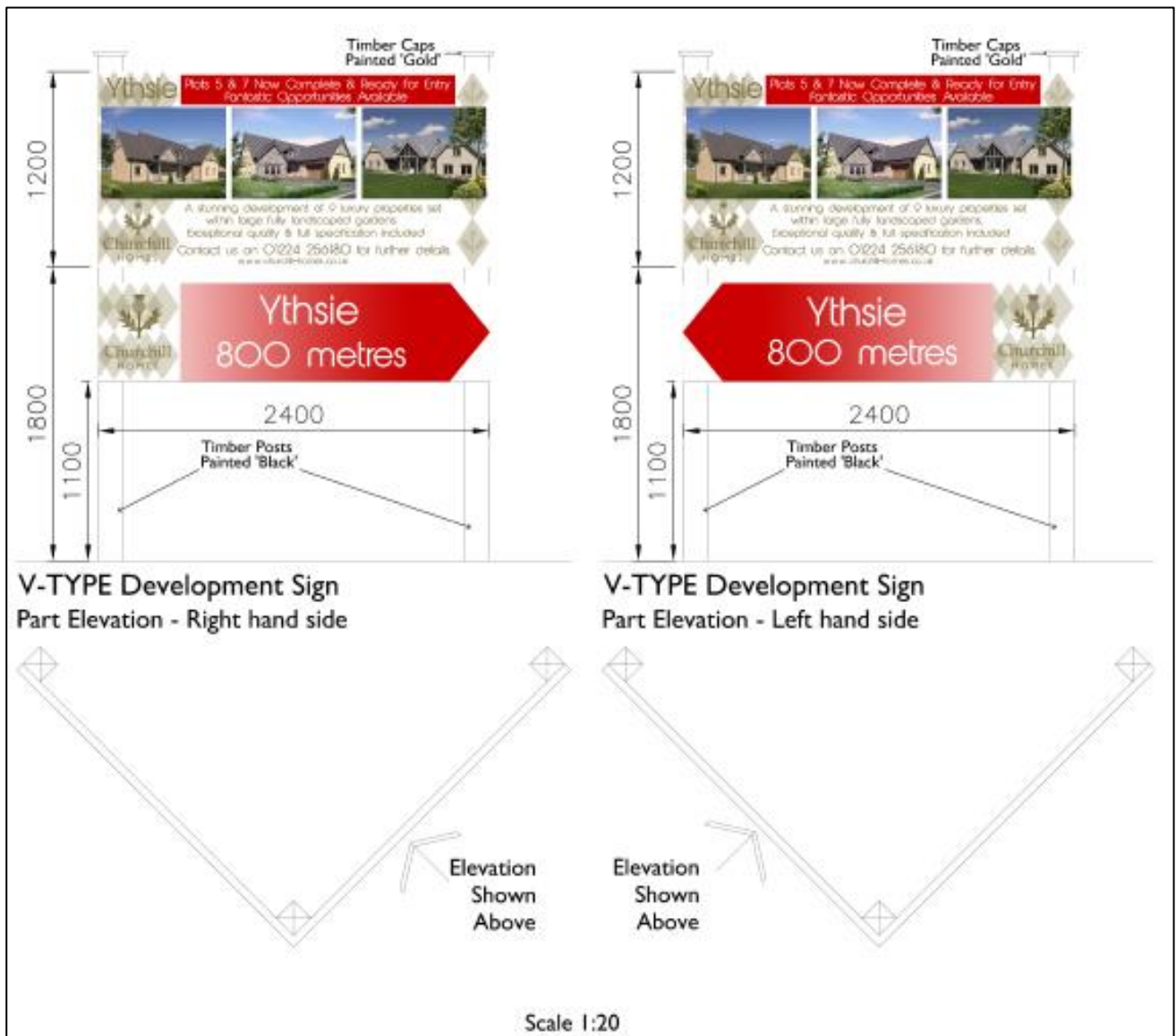
11.2 Reason for Decision

01. The proposal is considered to be in full compliance with The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, on the basis that the signage would not have an impact on the amenity of the area, or impact upon public safety in the area. It is also considered that the proposal consequently complies with the existing Aberdeenshire Local Development Plan 2012, and the Proposed Aberdeenshire Local Development Plan 2017.

Stephen Archer
Director of Infrastructure Services
Author of Report: Rory Hume
Report Date: 19 January 2017







APP/2016/3158

Appendix 4

Tarves Community Council

Community Council Postbox
Tarves Post Office
The Square
Tarves
AB41 7GX
16th December 2016

Aberdeenshire Council
P. & B. S. Formartine Area
45 Bridge Street
Ellon.

Dear Sir/Madam

F/APP/2016/3158 Application for Advertisement Consent for Erection of Signage at B999 junction near Ythsie Tarves. (Retrospective)

Members have discussed this application and resolved to object to the proposed development for the following reasons.

The residents at Ythsie have for many years had a building site on their doorsteps. Although there have been a number of properties completed it would appear from this application that the intention is to delay full completion for yet another 5 years.

We suggest that a maximum period of 3 years is a more reasonable timescale to complete this long-standing project and as such the permission for this should be restricted to this period.

A condition requiring the removal of the signage should also be included in order to avoid the recurrence of the current situation whereby the signage has remained in place for more than 3 years without consent

Yours on behalf of the Community Council

Robert P. Davidson

Chairman.