

Perth and Kinross Council
Development Control Committee – 22 May 2013
Report of Handling by Development Quality Manager

Display of Advertisements, Unit 1, St John's Shopping Centre, King Edward Street, Perth, PH1 5UX

Ref. No: 13/00556/ADV
 Ward No: 12– Perth City Centre

Summary

This report recommends approval of the application for display of advertisement as the development is considered to comply with the relevant provisions of the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 Display of advertisement consent is sought for Unit 1 of the St John's Shopping Centre in Perth. Unit 1 sits to the west of the main entrance into the shopping centre from South Street and is currently vacant. The display of advertisements relates to the formation of a Ladbrokes Betting Shop for which there is a separate planning application for a change of use which is also under consideration at this Committee (13/00555/FLL). The display of advertisements relates to one fascia sign facing onto South Street, together with a further sign within the shopping centre. A total of three "Ladbrokes" lettering areas are proposed, one facing onto South Street and two within the shopping centre.
- 2 The proposal involves a new fascia sign in the company's corporate colour of red and white. The white letters are proposed to be illuminated. The window facing onto South Street is proposed to have a poster display area and two vinyl graphics panels are proposed within the shopping centre. It should be noted by Members that this application relates solely to consideration of the appropriateness of the signage and the change of use to Class 2 betting shop will be considered separately under the associated full planning application.

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy 2010

- 3 This SPP is a statement of Scottish Government policy on land use planning and contains:
 - the Scottish Government's view of the purpose of planning,
 - the core principles for the operation of the system and the objectives for key parts of the system,

- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

4 The most relevant paragraphs are as follows:

- Paragraphs 45 – 51: Economic Development
- Paragraphs 52 - 65 : Town Centres and Retailing
- Paragraphs 115 - 117 : Conservation Areas

DEVELOPMENT PLAN

5 The Development Plan for the area consist of the Approved Tayplan: Strategic Development Plan 2012-2032 and the Adopted Perth Central Area Local Plan 1997.

Tayplan: Strategic Development Plan 2012-2032

6 There are no strategic policies of relevance to this application.

Perth Central Area Local Plan 1997

7 The application site is located within an area designated for Primary Business and Retail Uses.

8 Under the Local Plan the principal relevant policy is:-

Policy 11

9 Proposals for new buildings, changes to the appearance of existing buildings (including signs, new shop fronts and advertisements) will be assessed having regard to the design guidelines contained within annex 1 of the Plan.

Other Policies

PERTH AND KINROSS PROPOSED LOCAL DEVELOPMENT PLAN 2012

10 On 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. It has recently undergone a period of representation, the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. It is therefore a material consideration in the determination of this application, reflecting a more up to date view of the Council.

11 Under the Proposed LDP the site is located within an area designated for the Perth Prime Retail Core.

12 The principal relevant policies of this plan are:

Policy PM1 Placemaking – Development must contribute successfully to the quality of the surrounding built and natural environment

Policy HE3 Conservation Areas – There is a presumption in favour of development which preserves or enhances its character or appearance.

Perth Central Conservation Area Appraisal

Site History

13 13/00555/FLL – Alterations and change of use from Class 1 (retail) to Class 2 (business).

Consultations

14 None.

Representations

15 No representations have been received in relation to this proposal.

ADDITIONAL STATEMENTS

| | |
|--|----------------|
| Environment Statement | Not required |
| Screening Opinion | Not required |
| Environmental Impact Assessment | Not required |
| Appropriate Assessment | Not required |
| Design Statement / Design and Access Statement | None |
| Report on Impact or Potential Impact | None submitted |

APPRAISAL

Policy

16 The Town and Country Planning (Control of Advertisement) (Scotland) Regulations 1984 limits the exercise of the powers of control of advertisements solely to the interests of amenity and public safety. When exercising such powers a planning authority shall in the interests of amenity, determine the suitability of the use of a site for the display of advertisement in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority may disregard any advertisements being displayed therein. The Perth Central Conservation Area Appraisal is also a relevant material consideration.

- 17 All advertisements affect buildings, structures or places where they are displayed. The appearance of the environment can be easily spoiled by a poorly designed or insensitively placed sign. Too often advertisements are an after thought that do not take cognisance of their surrounds. It is therefore important in the assessment of advertisement applications, materials, colour, proportion or illumination, cumulative impact are taken into account to ensure that there appearance is not brash, over dominant or incongruous.

Public Safety

- 18 The determining factor is whether the proposed signage and lighting would be contrary to the interests of amenity and in this instancel do not consider there to be a public safety issue. .

Amenity

- 19 This proposal involves the white lettering of the three proposed “Ladbrokes” being illuminated by LEDs whereas the remainder of the red fascia will be unlit.
- 20 Whilst the preference within the Conservation Area is for any illumination of signage to either be by way of “swan neck” style lighting or “halo” style lighting to the back of raised lettering, having visited the site and considered the surrounding signage in the area I am satisfied that the illuminated lettering is suitable for this location on South Street. It should be noted that there are varying signage styles in this area and included within this are signs with illuminated lettering including those at RBS to the west and Tesco Metro on the opposite side of the road. I am therefore satisfied that the size of lettering proposed and the extent of illumination is satisfactory for this particular part of the Conservation Area and therefore will not adversely affect the amenity of the area.

Planning Authority with an Interest in the Land

- 21 The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 advises on the procedure for notification of planning applications to the Scottish Ministers for developments in which planning authorities have an interest in. The Direction states that notification to the Ministers is only required where the proposal involves a significant departure from the authority’s own Development Plan. As the recommendation of approval is not a significant departure from the Development Plan, a notification to the Ministers is not required.

Legal Agreements

- 22 None required.

Conclusion and Reasons for Recommendation

- 23 In conclusion, the application must be determined in accordance with the adopted Development Plans unless material considerations indicate otherwise.

In this respect, the proposal is considered to comply with the adopted Perth Central Area Local Plan and Tayplan 2012. I have taken account of material considerations, including the Proposed Local Development Plan 2012 and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

Recommendation

A Approve the application subject to the following conditions:

- 1 That this grant of express consent shall operate for a period of 5 years from the date of the granting of consent. On expiration of this period the advertisement shall be removed all to the reasonable satisfaction of the Council as Planning Authority.
- 2 The advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Council as Planning Authority.
- 3 The advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Council as Planning Authority.

Reasons

- 1 In the interests of amenity and as required by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
- 2 In the interests of amenity and as required by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
- 3 In the interests of traffic safety and as required by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

C PROCEDURAL NOTES

None.

D INFORMATIVES

None

Background Papers: None

Contact Officer: John Williamson – Ext 75360

Date: 22 April 2013

Nick Brian
Development Quality Manager

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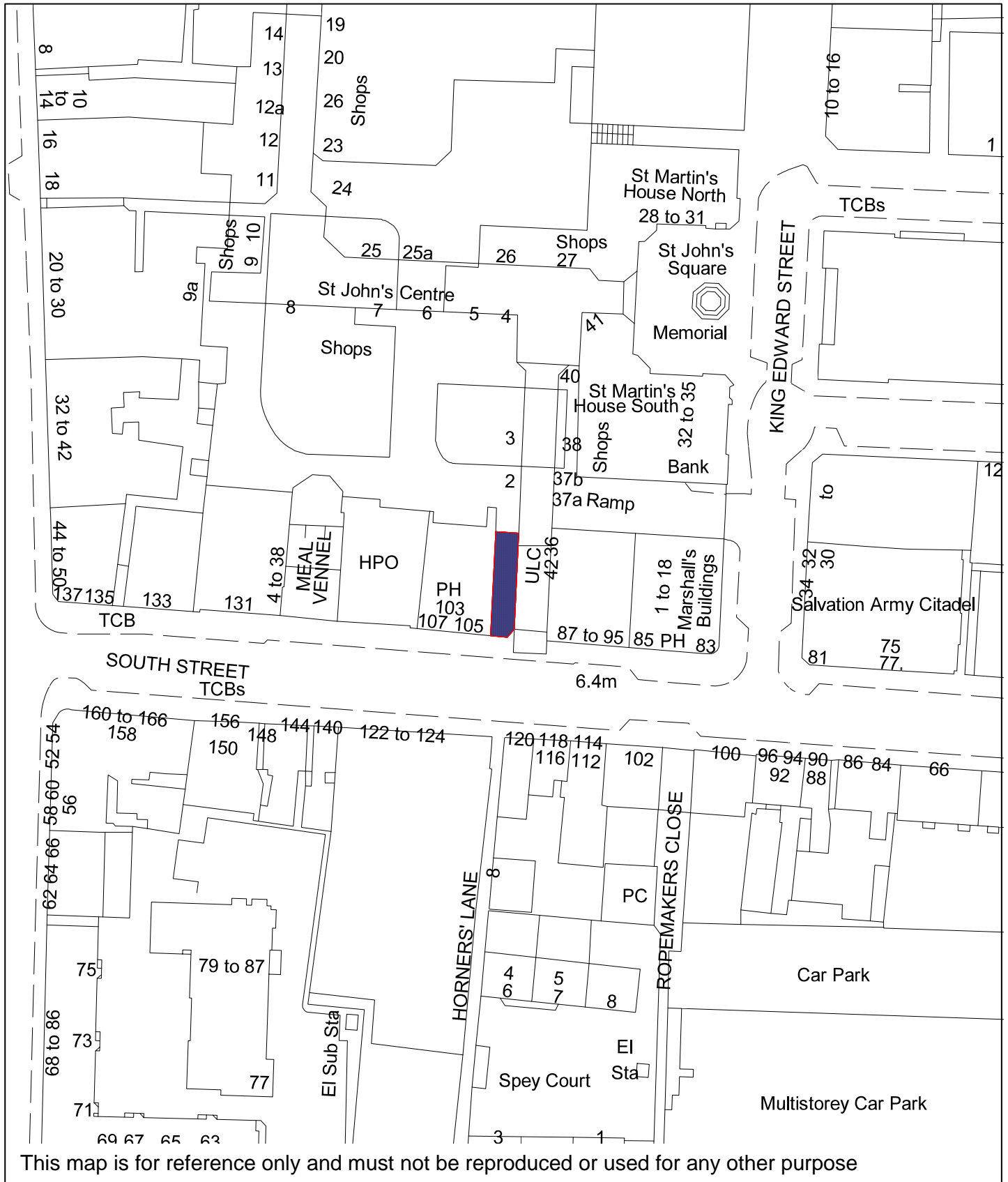
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Perth & Kinross Council

13/00556/ADV

Unit 1, St Johns Shopping Centre, King Edward Street, Perth

Display of advertisements



↑ Scale
1:1000

