

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 12/02443/ADV
Planning Hierarchy: Local
Applicant: Lochgilphead Phoenix Project
Proposal: Erection of free standing community notice board

Site Address: Front Green, Lochnell Street, Lochgilphead

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Advertisement Consent

- Erection of free standing community notice board

(ii) Other specified operations

- N/A
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(B) RECOMMENDATION:

That Advertisement consent be granted subject to the conditions and reasons contained in this report.

(C) CONSULTATIONS:

Transport Scotland – replied 21.11.12 – No objections
Area Roads Manager – replied 09.11.12 – No objections

(D) HISTORY:

12/00032/PP – Application for Planning Permission for community noticeboard – Withdrawn as a result of Planning Authority's advice and amended scheme resubmitted in its current form as an application for Advertisement Consent.

(E) PUBLICITY:

None required.

(F) REPRESENTATIONS:

(i) Representations received from:

- None received

(ii) Summary of issues raised:

- N/A
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(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | |
|--|-----|
| (i) Environmental Statement: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) A design or design/access statement: | Yes |
| (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: | No |
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(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
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(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

- (i) List of all Development Plan Policy considerations taken into account in assessment of the application.**

'Argyll and Bute Structure Plan' 2002

STRAT DC 1 – Development within the Settlements

STRAT DC 9 – Historic Environment and Development Control

'Argyll and Bute Local Plan' 2009

LP ENV 1 – Impact on the General Environment

LP ENV 14 – Conservation Areas and Special Built Environment Areas

LP ENV 19 – Development Setting, Layout and Design

LP ADV 1 – Advertisements

LP REC 2 – Safeguarding of Recreational Land and Important Open Spaces

Appendix A – Sustainable Siting and Design Principles

Appendix B – Shop Front/Advertising Design Principles

Appendix E – Allocations, Potential Development Area Schedules and Areas for Action Schedules

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.

- The Control of Advertisements (Scotland) Regulations 1984

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: Yes - Landowner

(O) Requirement for a hearing (PAN41 or other): No

(P) Assessment and summary of determining issues and material considerations

This application relates to the Front Green, Lochnell Street, Lochgilphead within the Lochgilphead Conservation Area. In relation to the adopted 'Argyll and Bute Local Plan 2009', this site is located within the settlement zone for Lochgilphead and is also contained within an 'Open Space Protection Area' and a designated 'Area for Action'.

It is proposed to erect a free standing community noticeboard slightly set back from the public footpath on the Front Green between the public toilets and the bus shelter. The structure consists of four galvanised steel posts with a Green Oak Cladding set into concrete foundations with a roof frame constructed from Green Oak which will be covered in West Highland slate with lead flashings. This frame will house eight separate illuminated noticeboards, each measuring 1182mm x 1050mm. The overall height of the structure will be approximately 3 metres and it will be sited on a wider

area of hardstanding which will match and tie in with the existing public footpath on the A83 Trunk Road. The panels will be externally illuminated by low voltage cold cathode tubing.

Policy LP ADV 1 of the Local Plan states that when assessing advertisement applications within settlements, the impact on the amenity of the site and surrounding area must be taken into account in terms of positioning, scale, design and materials and, additionally, if located within a Conservation Area, the proposal must preserve or enhance the character and amenity of the area.

This proposal is on a site which would ordinarily not be considered appropriate for commercial advertisement due to its prominence within the Conservation Area and relative isolation from other commercial activity within the area. However, as the principle of this application is to serve a function which will benefit the community and encourage tourist activity it is considered an appropriate location for the current proposal given its central and readily accessible location within the town for both locals and visitors given its proximity to other community facilities in the form of adjacent play area, open space, public toilets, pay phones and interpretation panels.

In the supporting statement which accompanies the application, the applicant argues that there is a need for a Community Noticeboard within Lochgilphead due to there being no "central focus" for the display of information by public, private and voluntary organisations within the Lochgilphead area and, additionally, the closure of the nearby Tourist Information Centre has resulted in a lack of information for tourists and visitors to the area. Given that the content of the noticeboard can be controlled by condition to ensure that it does not simply become a large commercial advertisement and does indeed advertise local businesses and community groups, this argument is persuasive.

In terms of the impact on the Conservation Area, the proposed noticeboard has been designed in a way which is sympathetic to the character of the area with a traditional slate roof and a supporting structure which will not appear particularly bulky or prominent within the wider area. Furthermore, it is sited in a location where the traditional appearance of the wider Conservation Area has already been devalued to a certain extent by bus stops, pay phones, trunk road signage, public toilets and play area. The granting of advertisement consent comes with a standard condition requiring the advertisement and associated land to be maintained in a clean and tidy condition to the reasonable satisfaction of the planning authority which will additionally serve to minimise the possibility of this proposal negatively affecting the character of the Conservation Area.

A number of local businesses have submitted letters in support of a community noticeboard and the applicant claims to have received "overwhelming support" from local people as a result of a public consultation they carried out in early 2011. There have been no letters of representation either in support or objecting to the current proposal.

The proposed notice board is situated within 'Open Space Protection Area' where there is a policy presumption established by Policy LP REC 2 against development which compromises the recreational or amenity value of designated land. In this case, the development is small in scale relative to the available open space and the information is being provided to serve a public function in meeting the requirements of both the local community and visitors. It is being sited on that part of the OSPA which is already subject to various forms of built development where it will not compromise useable open space, views of the loch or amenity in general. This site has been

specifically identified, in discussion with the applicants, to avoid locations in the centre of Lochgilphead where the presence of the noticeboard could compromise the setting of buildings in the conservation area, could cause obstruction of the footway or could reduce the amenity of the Front Green. The development does not compromise either the amenity value or useability of the Front Green and satisfies Policy LP REC 2.

Overall, it is considered that the proposed community noticeboard is appropriate in terms of scale, siting and design, will preserve the existing character and appearance of this particular location within the Lochgilphead Conservation Area and satisfies all other relevant Development Plan policies.

(Q) Is the proposal consistent with the Development Plan: Yes

(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:

It is considered that the proposed community noticeboard is appropriate in terms of scale, siting and design, will preserve the character of the Lochgilphead Conservation Area and satisfies all other relevant Development Plan policies.

(S) Reasoned justification for a departure to the provisions of the Development Plan

N/A

(T) Need for notification to Scottish Ministers or Historic Scotland: No

Author of Report: Rory MacDonald **Date:** 26th November 2012

Reviewing Officer: Peter Bain **Date:** 29th November 2012

Angus Gilmour
Head of Planning & Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 12/02443/ADV

1. The proposed development shall be carried out in accordance with the details specified in the application form dated 1st November 2012; and the approved drawings numbered 1 to 7 of 7; and stamped approved by Argyll and Bute Council.

Reason: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

Standard Note: In terms of condition 2 above, the council can approve minor variations to the approved plans in terms of Section 64 of the Town and Country Planning (Scotland) Act 1997 although no variations should be undertaken without obtaining the prior written approval of the Planning Authority. If you wish to seek any minor variation of the application, an application for a non material amendment (NMA) should be made in writing to Planning Services, Dalriada House, Lochgilphead, PA31 8ST which should list all the proposed changes, enclosing a copy of a plan(s) detailing these changes together with a copy of the original approved plans. Any amendments deemed by the Council to be material, would require the submission of a further application for planning permission.

2. The content of the hereby approved community noticeboard shall be restricted to the breakdown contained within the approved schedule 'Appendix A' as submitted in support of this application unless otherwise agreed in writing by the Planning Authority.

Reason: For the purposes of defining the scope of the consent as a community noticeboard and not for commercial purposes.

NOTE TO APPLICANT

- The issue of planning permission does not carry with it the right to carry out works within the trunk road boundary, such permission must be requested from and granted by Transport Scotland, Trunk Road and Bus Operations. To obtain permission contact the Route Manager (A83) – tel. 0141 272 7100 – Network North, Buchanan House, 58 port Dundas Road, Glasgow, G4 0HF. The Operating Company have responsibility for co-ordination and supervision of the works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained. Operating Company – Transerv – tel. 01738 455300 – Broxden House, Broxden Business Park, Lamberkine Drive, Perth, 1RA.