

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 27 APRIL 2001

**01/0150/AD: PROPOSED DISPLAY OF ONE 96 SHEET ADVERTISING
DISPLAY UNIT AT THE BOBBIN SERVICE STATION, NEWMILNS ROAD,
GALSTON BY PRIMESIGHT LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The applicants propose to erect a non-illuminated advertising display unit, which is essentially a timber constructed advertising hoarding. Its dimensions (including supporting structure) are 4.5 metres in height by 12 metres in width.

2. RECOMMENDATION

2.1 It is recommended that the application for advertisement consent should be refused for the reasons on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 Whilst there is no indication that the proposed hoarding will have an adverse impact on traffic/public safety, it is considered that if erected, the hoarding by virtue of its substantial scale, size and overall bulk, will constitute an over-dominant and visually intrusive feature in the area. The A71 is one of the main approaches to/from Kilmarnock and Edinburgh and is considered locally to be the "Gateway" to the Irvine Valley. Accordingly, it is of prime importance that any development is entirely appropriate, sensitive in scale and sited in an acceptable manner. It is also vital that the area's visual amenity and open character is protected. To allow the hoarding in this instance with no beneficial purpose or relationship to an existing use, would set a precedent for further unnecessary and visually obtrusive structures all to the detriment of the amenity of this important approach.

3.2 As indicated in Section 5 of the report there are no applicable policies in the Galston Town Map, which would affect the determination of this application. The material considerations discussed in Section 6 and paragraph 8.1 of the report are therefore of primary importance in the assessment of this application and greatest weight should be attached to these in the absence of any policies in the Adopted Local Plan.

3.3 Should the Committee be persuaded that the application should be approved, it will not require to be referred to the Development Services Committee.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 27 APRIL 2001

01/150/AD – PROPOSED DISPLAY OF ONE 96 SHEET ADVERTISING
DISPLAY UNIT AT THE BOBBIN SERVICE STATION, NEWMILNS ROAD,
GALSTON BY PRIMESIGHT LTD

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for advertisement consent which is to be considered by the Local Planning Committee under the scheme of delegation because it is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located at the southern side of the A71 on the Newmilns Road. The site comprises land at the Bobbin Filling Station. The hoarding is to be located at the north western corner of the filling station running parallel to the site boundary with a vacant site to the west, beyond which lies the Co-operative Supermarket. To the north of the site lies the A71 beyond which is agricultural land. To the east is a parking area and to the south, the site bounds the River Irvine. The area is of general open character giving a semi-rural impression.

2.2 **Proposed Development:** The applicants propose to erect a non-illuminated advertising display unit, which is essentially a timber constructed advertising hoarding. Its dimensions (including supporting structure) are 4.5 metres in height by 12 metres in width.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Roads Division has advised that they have no objections to make.

Noted.

3.2 The Galston Community Council has not responded to their consultation at the time of writing this report.

Noted.

4. REPRESENTATIONS RECEIVED

4.1 No letters of representation have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan comprises the Adopted Ayrshire Joint Structure Plan, the Ayr County Development (1953) Plan and the Galston Town Map (1965).

5.2 The site in question is zoned as agricultural land. A local plan has never been adopted for the Irvine Valley and as the aforementioned plan is significantly out of date, it is considered that the application should be determined against the policies of the East Ayrshire Local Plan, (Finalised Version with Modifications).

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan Finalised Version with Modifications, Circular 10/84 on the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, the consultations detailed above and previous advertisement applications for hoardings.

6.2 In respect of the East Ayrshire Local Plan Finalised Version with Modifications (EALP), it is the most up-to-date plan against which the application should be determined. Within the EALP the proposal site lies within the settlement boundary of Galston. Policy ENV 14 (ii) states that there is a presumption against development which would have a detrimental impact on built heritage resources including historic gardens and design landscapes. The site lies directly opposite the Loudoun Castle Historic Garden and Designed Landscape, therefore it is considered that an advertisement hoarding of this size would impact adversely on a heritage resource. This proposal would be detrimental to the character and visual amenity of the Irvine Valley Tourism Gateway into East Ayrshire, and the setting and approach to Galston along the A71 Tourist Route.

6.3 Policy ENV 7 of the EALP states that developers will be expected to comply with emerging design guidance documents. The new design guidance document for East Ayrshire states that a hoarding will only be permitted where it can be shown that it is temporarily screening an unsightly gap site. There is a gap site to the rear of the hoarding but the structure does not completely screen this unsightly site from the road as the hoarding is proposed on the boundary between the petrol station and the gap site and not on the roadside boundary.

The proposal is therefore not in compliance with Policies ENV7 and ENV14 (ii) of the EALP. It is considered to be an intrusive and incongruous development totally out of scale and keeping with the prominent roadside location in which it is proposed.

6.4 Circular 10/84 is also a material consideration. This document provides advice on advertisement control and states the view of Central Government that properly displayed and well-designed advertisements are well accepted and approved by the general public. It is noted that advertisements are an integral part of modern commercial life and their presence in many street scenes will enhance and improve the environment by adding colour and interest. Planning Authorities are therefore encouraged to consider proposals for the display of advertisements in as favourable a light as possible and in particular, to take full account of the positive effects of advertisements. The Guidance reminds Planning Authorities that control of advertisements can be exercised only in the interests of amenity and public safety. In terms of amenity, Planning Authorities shall determine the suitability of the use of the site for the display of advertisements in light of the general characteristics of the locality including the presence of any feature of historic, architectural, cultural or similar interest.

It is noted that the Council's Roads Division has not objected on the grounds of public safety. As such the determining issue in terms of this application, is the effect of the hoarding on the amenity of the surrounding area. The site for the hoarding is located on a main approach to/from Galston that forms a principal entry/exit to/from the Irvine Valley and is often termed a "Gateway" in addition to carrying traffic to/from Kilmarnock, Edinburgh and the A77. The surrounding area is generally grassland or low level buildings with essentially an open outlook. It is therefore considered that the proposal by reason of its nature, would involve a prominent and intrusive feature of significant scale and colouring which would be out-of-character with the surrounding area. The proposed hoarding is therefore considered to have a detrimental effect on the open character and amenity of the area. It is noted that it is in the nature of such hoardings to be conspicuous and whilst these forms of development may be acceptable in sensitive locations, this would however generally only be where the hoardings are concealing or screening untidy land or buildings or unsightly uses. Taking note of the application site, it is clear that such justification does not exist in this location. The vacant site beside the Bobbin Filling Station is shortly scheduled to undergo development as a postal sorting sub-office. The building which has planning permission is of a high specification finished in facing brick and a light coloured metal roofing material. The site is to be landscaped given the semi-rural nature of the area. This Division undertook extensive discussions

with the developer to ensure an environmentally acceptable development and it is considered that if the proposed hoarding was granted advertisement consent, it would have an unacceptable impact on this development.

6.5 As mentioned in paragraph 6.3 above, the Council has generally considered hoardings favourably where they would serve a useful purpose. For example, the car breakers yard at Low Glencairn Street, Kilmarnock is screened by hoardings which were granted Advertisement Consent. These hoardings screen from public view, the storage of scrapped vehicles and therefore make a worthwhile contribution to the streetscene. Furthermore in February 2000, the Council refused Advertisement Consent for two hoardings at the A71 Bellfield Interchange Service Station on the grounds that the hoardings were to be sited in a conspicuous location featuring illumination which would be detrimental to the surroundings and without justification for the acceptance of their detrimental impact arising from any beneficial screening or concealing of adjacent untidy ground or buildings. The applicant then appealed to the Scottish Ministers who dismissed the appeal. The Reporter in this connection found that the proposal would add to the existing visual clutter and that the hoardings would be visually intrusive and out-of-keeping with the immediate surroundings and contrary to the interests of amenity.

Whilst it remains the case that every application shall be considered on its own merits it should be noted that the Council has been consistent in its stance as regards the merits of advertisement hoardings.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 Whilst there is no indication that the proposed hoarding will have an adverse impact on traffic/public safety, it is considered that if erected, the hoarding by virtue of its substantial scale, size and overall bulk, will constitute an over-dominant and visually intrusive feature in the area. The A71 is one of the main approaches to/from Kilmarnock and Edinburgh and is considered locally to be the "Gateway" to the Irvine Valley. Accordingly, it is of prime importance that any development is entirely appropriate, sensitive in scale and sited in an acceptable manner. It is also vital that the area's visual amenity and open character is protected. To allow the hoarding in this instance with no beneficial purpose or relationship to an existing use, would set a precedent for further unnecessary and visually obtrusive structures all to the detriment of the amenity of this important approach.

8.2 As indicated in Section 5 of this report there are no applicable policies in the Ayr County Development Plan or the Galston Town Map, which would affect the determination of this application. The material considerations discussed in Section 6 and paragraph 8.1 above are therefore of primary importance in the assessment of this application and greatest weight should be attached to these in the absence of any policies in the Adopted Local Plan.

8.3 Should the Committee be persuaded that the application should be approved, it will not require to be referred to the Development Services Committee.

9. RECOMMENDATION

9.1 It is recommended that the application for advertisement consent should be refused for the reasons indicated on the attached sheet.

Alan Neish
Head of Planning and Building Control

05 April 2001
(FMF/SA)
(FV/DVM)

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Statutory consultations replies.
4. East Ayrshire Local Plan (Finalised Version with Modifications).
5. Ayr County Development Plan and Galston Town Map.
6. Circular 10/84.
7. Advertisement Application Nos. 00/0021/AD and KL/E/AD/86/023A

Anyone wishing to inspect the above papers please contact Yvonne Mitchell on 01563 576771.

Implementation Officer: Dave Morris

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EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0150AD

Site of Proposal: Bobbin Service Station
The Bobbin Filling Station
Newmilns Road
GALSTON

Natural of Proposal: Proposed Display of One 96 Sheet Advertising
Display Unit

Name & Address of Applicant: Primesight Ltd
Unit 4 Queenslie Industrial Estate
Coltness Lane
GLASGOW G33 4DR

Name & Address of Agent:

DPOs Reference: FMF/YM/SA

The above ADVERT application should be refused on the following grounds:-

1. The proposed advertising display unit would have a detrimental affect on the visual amenity and general character of the area by virtue of its scale and design and would represent an inappropriate, incongruous and over-dominant structure by reason of introducing unacceptable visual clutter.
2. The proposed advertising display unit if approved would set an undesirable precedent which could encourage further similar applications for proposals which would be unacceptable by reason of their detrimental effect on the visual amenity and general character of the area.
3. The proposed advertising display unit serves no beneficial function and there is consequently no justification for the acceptance of its detrimental impact, arising from any beneficial screening or concealing of adjacent untidy ground or buildings.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S**

**PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA