

**THE HIGHLAND COUNCIL**

**SOUTH PLANNING APPLICATIONS COMMITTEE**  
**13 December 2016**

Agenda Item	6.6
Report No	PLS 072/16

**16/03894/ADV: Highland Council**  
**Land 95m NE of 1 Blar Mhor Industrial Estate, Lochside, Fort William**

**Report by Area Planning Manager – South/Major Developments**

**SUMMARY**

**Description :** Roundabout advertisement signage

**Recommendation - GRANT**

**Ward :** 12 - Caol and Mallaig

**Development category :** Local Development

**Pre-determination hearing :** None

**Reason referred to Committee :** Community Council Objection.

**1. PROPOSED DEVELOPMENT**

- 1.1 The application is for Advertisement Consent for the installation of signage on the A830 Trunk Road roundabout. The signage is a frame measuring 1365mm long, 350mm high, and is 500mm above ground level. It is held by 2No. posts. 5No. signs are proposed at this roundabout. The signs will be available for rent. The actual details and content of the 'Advertisement' will require to comply with the parameters of a Minute of Agreement (see section 1.3).
- 1.2 No pre-application discussions
- 1.3 Application accompanied by a Minute of Agreement: Sponsorship of Trunk Road Roundabouts within the Highland Council local authority area (Highland)
- 1.4 **Variations:** Amended plan showing location of signage on roundabout

**2. SITE DESCRIPTION**

- 2.1 The site is the A830 Trunk Road roundabout on the road to the isles, at the junction with the Blar Mhor Industrial Estate and the police station and ambulance station premises.

**3. PLANNING HISTORY**

- 3.1 No relevant recent planning history.

#### 4. PUBLIC PARTICIPATION

4.1 Advertised : None

Representation deadline : 15.09.16

Timeous representations : 0

Late representations : 1

4.2 Material considerations raised are summarised as follows:

- Road safety

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

4.4 In support of the application the Project Manager has advised that :

*Highland Council has been enjoying income from non-trunk road roundabout advertising for nearly 10 years. The roundabout sponsorship scheme has met demand from local & national organisations alike and has attracted no safety related incidents.*

*To help offset the affordability challenges THC face, we approached Transport Scotland for permission to advertise on trunk road roundabouts (in the same manner as Aberdeen City Council and Dundee City Council have been granted), and they have agreed to grant permission with the same conditions regarding dimensions etc.*

*In return for this permission, THC will adopt the maintenance of these roundabouts and installation and maintenance of the advertising signs will be completed by fully trained Council staff.*

*All advertising content complies with advertising standards authority and the Highland Council advertising and sponsorship policy.*

*A memorandum of understanding has been agreed with Transport Scotland and is anticipated to be signed over the coming weeks.*

*When fully occupied, the roundabouts will treble the current advertising income (even after maintenance costs), allowing the Council to make different choices when facing Budget decisions.*

#### 5. CONSULTATIONS

5.1 **Transport Planning** - Recommend the terms of the Transport Scotland comment on this application.

**Transport Scotland** – No objections. Require a condition to be attached to any Consent.

The Minute of Agreement between Transport Scotland and the Highland Council for the Roundabout Sponsorship Signs has not yet been signed. A condition to replicate the Minute of Agreement conditions has been added to this response for the interim period until the Agreement is finalised. Once the final details for the Sponsorship Sign have been approved a decision will be made on the necessity of conducting a Safety Audit.

No advertising sign shall be erected on a roundabout until the sign face details and method of erection have been submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Road Authority.

**Kilmallie Community Council** - The Community Council object to the proposal in the interests of road safety. Any distractions at roundabouts will create additional risks. The proposals are in direct contradiction to UK wide commitments to reduce street clutter. The signage may increase the number of unauthorised signs and will have a negative impact on the visual character of the area. Advertisement costs to local businesses may detract from their sponsorship and support of community projects. Existing signage on roundabout is misleading and unnecessary and should be removed.

## **6. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **6.1 Highland Wide Local Development Plan 2012**

28 Sustainable Design

## **7. OTHER MATERIAL CONSIDERATIONS**

### **7.1 Development Plan**

**West Highland and Islands Development Plan (2010) as continued in force**

### **7.2 Highland Council Supplementary Planning Policy Guidance**

Not applicable

### **7.3 Scottish Government Planning Policy and Guidance**

Not applicable

## **8. PLANNING APPRAISAL**

8.1 Part 2 section 4 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 states that the control of advertisements can only be assessed in terms of public safety, amenity and any other material factors.

8.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.3 This means that the application requires to be assessed in terms of public safety, amenity and against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **8.4 Development Plan Policy Assessment**

The proposal seeks Advertisement Consent for new signage on the Blar Mhor

roundabout.

The proposal is one of a series on roundabouts within the Highland Council area.

The principle of this roundabout signage was agreed as a Corporate initiative to raise revenue. The Council has identified an opportunity to provide options for display of advertisements on roundabout junctions throughout the area. The principle of such adverts has therefore been agreed and was subject of discussion with Transport Planning and Community Service colleagues to address road safety matters.

The roundabouts are to be 'sponsored', with the scheme being administered by the Council, with this sponsorship covering the manufacture, installation, maintenance and removal on completion of agreed signage; and landscape maintenance of the roundabout.

The proposed signage is to be located opposite each access road onto the roundabout. A detailed written generic technical specification for the signage has been agreed under the Minute of Agreement by the Council and Transport Scotland. This relates to the position of the signage mounting frame, its size, height, materials; and also to the detail of the actual 'sign' for each mounting frame.

Due to the scale and position of the signage, the proposal is not considered to have a significant impact on the landscaping or setting of the roundabout and accordingly is considered to be acceptable in this instance.

## 8.5 **Material Considerations**

**Representations** have been received and relate to road safety and visual amenity matters.

It should be noted that Transport Scotland have been consulted on the proposal and have indicated that the installation of the signage would be acceptable, subject to conditions.

On this basis the proposal is considered to accord with the public road servicing requirements of the Highland Wide Local Development Plan policy 28 Sustainable Design.

## 8.6 **Other Considerations – not material**

- This signage may increase the number of unauthorised signs and will have a negative impact on the visual character of the area.

Comment : Future unauthorised signage within the trunk road boundary would be subject to control by the Trunk Road Authority and cannot be treated as a material consideration of this application.

- Advertisement costs to local businesses may detract from their sponsorship and support of community projects.

Comment : This proposal will not reduce the number or range of local sponsorship opportunities available to local businesses and this cannot be treated as a material consideration of this proposal.

- Existing signage on roundabout is misleading and unnecessary and should be removed.

Comment : Trunk road directional signage is regulated by the Trunk Road Authority and cannot be considered as part of this application. The matter of redundant signage would need to be reported to Transport Scotland as Roads Authority for review/removal.

## 8.7 Matters to be secured by Section 75 Agreement

None

## 9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal is acceptable in terms of public safety and amenity and accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## 10. RECOMMENDATION

**Action required before decision issued** N

**Subject to the above**, it is recommended the application be **Granted** subject to the following conditions and reasons:

1. No advertising sign shall be erected on the roundabout until the sign face details and method of erection have been submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland as the Trunk Road Authority. Thereafter the development shall be undertaken in accordance with the approved details.

**Reason** : To minimise interference with the safety and free flow of traffic on the trunk road

### REASON FOR DECISION

The proposals are acceptable in terms of public safety and amenity and accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

### TIME LIMITS

In accordance with Regulation 18 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) this consent for the display of an advertisement shall lapse FIVE YEARS from the date of this decision notice.

### FOOTNOTE TO APPLICANT

#### **Accordance with Approved Plans & Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not

deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

### **Trunk Road Authority Consent**

The granting of planning consent (Advertisement Consent) does not carry with it the right to carry out works within the trunk road boundary. Permission must be granted by Transport Scotland Trunk Road and Bus Operations.

### **Transport Scotland Contact Details:-**

Trunk Road and Bus Operations, Network Operations - Development Management  
Buchanan House, 58 Port Dundas Road, Glasgow, G4 OHF

Telephone Number: 0141 2727382

e-mail: [developmentmanagement@transportscotland.gsi.gov.uk](mailto:developmentmanagement@transportscotland.gsi.gov.uk)

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

### **Local Roads Authority Consent**

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads Office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

### **Mud & Debris on Road**

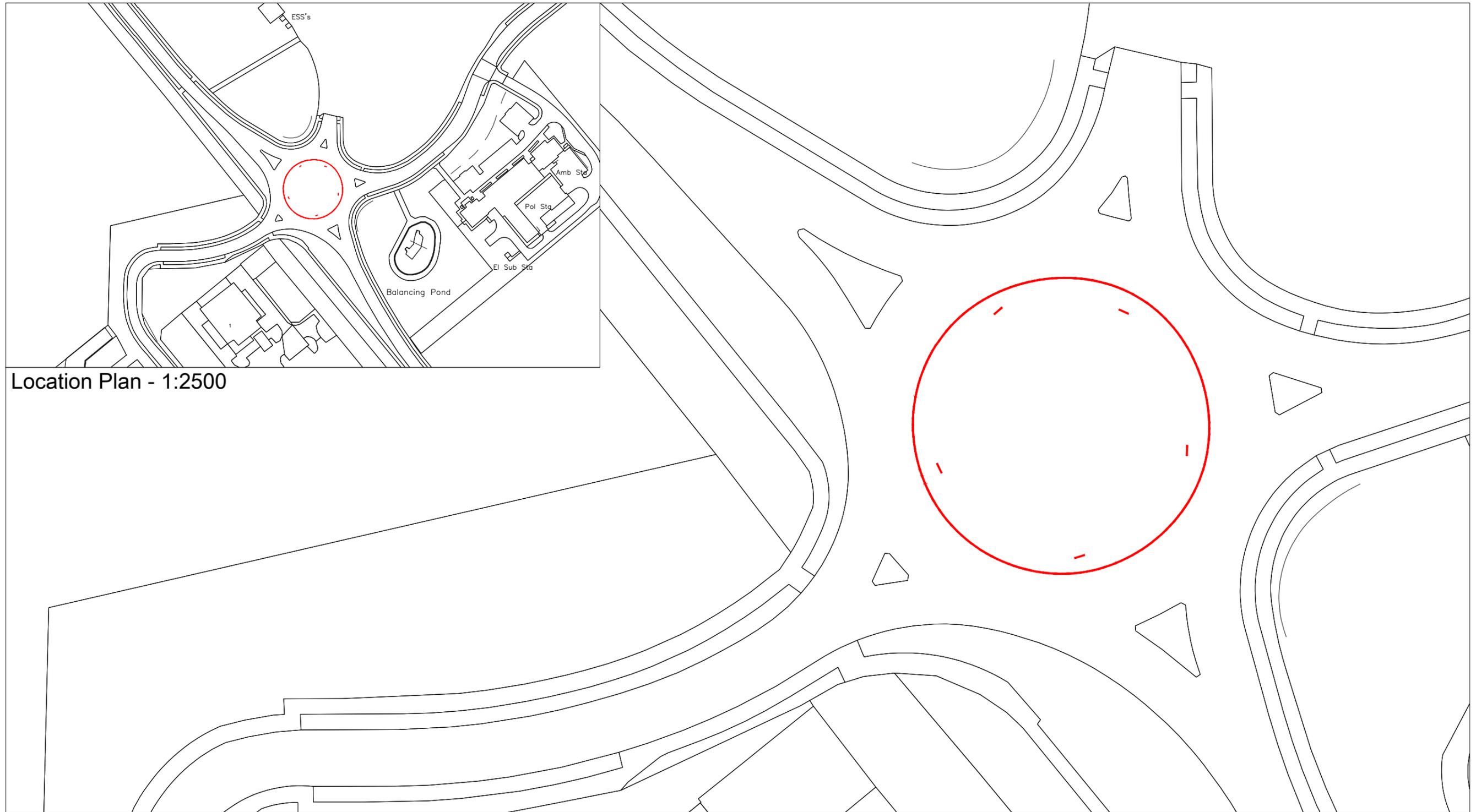
Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984

to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**Protected Species - Halting of Work**

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: [www.snh.gov.uk/protecting-scotlands-nature/protected-species](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

Signature: Nicola Drummond  
Designation: Area Planning Manager - South/Major Developments  
Author: Christine Millard  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan A (00) 25 Rev 0.1  
Plan 2 – Elevation Plan A (00) 31



Location Plan - 1:2500

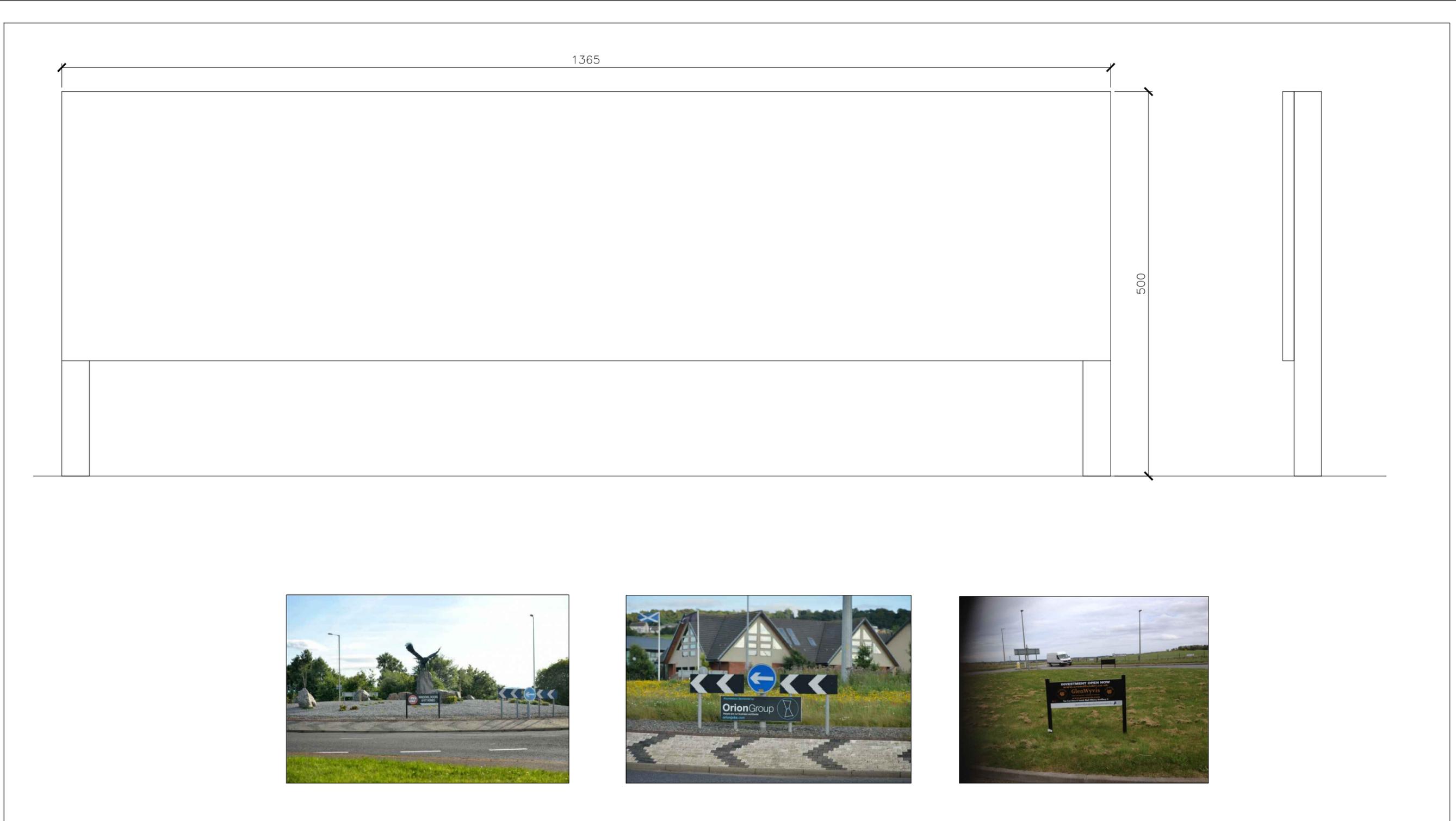
Site Plan - 1:500

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CLIENT Corporate Services				CONTACT Stephen Murdoch													
PROJECT Roundabout Advertisement Signage Various Locations				DRAWING TITLE Fort William - Police Station (A830)													
				PURPOSE OF ISSUE Planning													
SCALE 1:500		DATE Aug 16		DRAWN BY S.M		PAPER A3		PROJECT NUMBER -		AGENT A		SERIES (00)		UNIQUE No. 25		REVISION	



Sign Elevation / Details - 1:5

**Referenced from Attached Transport Scotland Document:**

- 5. Sign faces shall not exceed 0.5 sq.m. with actual dimensions based on the merits of each location.
- 7. Signs shall be installed on poles separate to traffic signs. Pole outside diameter shall not be greater than 75 mm and must match the road sign pole at the location for consistency.
- 8. Signs shall be installed at a low level, no greater than 0.8 meters above ground level.

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CLIENT Corporate Services				CONTACT Stephen Murdoch								
PROJECT Roundabout Advertisement Signage Various Locations				DRAWING TITLE Elevation / Examples								
				PURPOSE OF ISSUE Planning								
SCALE 1:5	DATE Aug 16	DRAWN BY 				PAPER A3	DRAWING NUMBER -	PROJECT NUMBER -	AGENT A	SERIES (00)	UNIQUE No. 31	REVISION