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## CAIRNGORMS NATIONAL PARK AUTHORITY

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Title: REPORT ON CALLED-IN PLANNING APPLICATION

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DEVELOPMENT MANAGEMENT)

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DEVELOPMENT PROPOSED: ADVERTISEMENT CONSENT FOR THE  
DISPLAY OF ADVERTISEMENTS ON LAND  
AT Highburnside, AVIEMORE

REFERENCE: 08/287/CP

APPLICANT: TULLOCH HOMES LTD., STONEYFIELD  
HOUSE, INVERNESS.

DATE CALLED-IN: 8 AUGUST 2008

RECOMMENDATION : APPROVE SUBJECT TO CONDITIONS



Fig. 1 - Location Plan

## SITE DESCRIPTION AND PROPOSAL

1. Advertisement consent is being sought in this application for the display of advertisements on land at Highburnside, Aviemore. The application has been made retrospectively as the signs are in place at their proposed location. **Members will recall that this application for advertisement consent was first brought before the Planning Committee for determination at the meeting on 17 October 2008. A decision on the application was deferred in order to further investigate whether or not the applicants would be prepared to reduce the extent of signage for which advertising consent is being sought in this prominent location adjacent to the A9 trunk road. The contents of this report are similar to that previously presented. For clarity, please note that all updated text will appear in bold type.**
2. Advertising consent was initially sought for the display of a total of six signs, advertising the sale of properties which are currently being developed by Tulloch Homes (the applicants) at Highburnside. However, following the deferral of a decision on the matter, further discussions were undertaken with the applicants. In a recent submission Tulloch Homes have indicated that the large horizontal pair of signs in the centre will be removed and they have consequently requested that this application for advertisement consent be amended to refer only to the two smaller vertical signs which are currently positioned either side of the large central signs. The Highburnside development lies on the western side of Aviemore, separated from the main settlement area by the A9 trunk road. The signs are located close to the trunk road boundary on land which forms part of the public open space area of the permitted residential development. Landscaping works have recently been undertaken at this location in accordance with the terms of the permission for the development. The signs, which are erected on white poles, have been positioned amidst recently undertaken planting. The actual signage is at a height which does not interfere with the planting at present.



Fig. 2 : Signage as viewed from the Highburnside housing site (photo Sept 2008)

3. **The six advertising signs for which consent was originally sought were arranged in three pairs of V shape groups, clustered along a central part of the road frontage of the development site.** The signs are all in close proximity to one another, contained within the area bounded by two existing access roads into the development.<sup>1</sup> The southern most pair of signs are vertically aligned, with each sign measuring 1220mm in height and 640 mm wide. The northern set of signs mirror the size and information content of their southern counterparts. Both sets of signs bear the same information, advertising Highburnside as a “prestigious development of 3, 4 and 5 bedroom homes,” providing details of the opening hours of the sales and marketing suite, and also providing directional information on access to the site -“exit the A9 at the next junction and follow the signs”. **Advertising consent is now only being sought for the northern and southern signs. The third and largest set of signs, which no longer forms part of the proposal, was centrally positioned between the two sets of smaller vertical signs. The central signs were arranged in a V shape, and had a horizontal emphasis, with each sign extending to approximately 6 metres in width. The applicants have indicated in correspondence dated 28 October 2008 that the larger central signs will be removed ‘as soon as can be arranged.’** All of the signs also include a number of photographs containing images of the surrounding area.

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<sup>1</sup> The original access to the Highburnside site is through the Milton underpass which will eventually be closed. A new A9 underpass has been developed to access the area. However, at the present time connections to the road network have not been sufficiently completed in order to provide adequate access to existing properties in the area.



Fig. 3 : Example of southern and northern signage

4. In response to a query on the planning application form regarding the 'period for which consent is required' the applicants initially indicated that consent was being sought for "5 years or shorter period if the site is sold out." Further information is provided on this point in a supporting letter initially submitted with the application where it is indicated that the signs will be required for a "temporary period during the construction and sales process on the site" and that "hopefully this may be a period of 12-14 months but they may be required for longer depending on the market circumstances." **The timescale for which advertising consent is being sought has now been amended and will be discussed later in this report.**

#### **The applicants case**

5. Some information on the background to the need for the signage was set out in the originally supporting letter, where it was noted that Highburnside is severed by the A9 from the main settlement of Aviemore and consequently "site identification and the access arrangements to it have proved troublesome in terms of directing both customer traffic and construction traffic to the site."<sup>2</sup> The signage adjacent to the A9 was erected in an attempt to improve site identification and to offer sufficient direction for traffic in order to allow it to exit the A9 via either the northern or southern entrance to Aviemore. The applicants also

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<sup>2</sup> The site is accessed off the B9152 road (Grampian Road) through the Croftside / Allt Mhor housing development.

contend that the signage which has been erected does not interfere with sight lines, as it is adjacent to a straight section of the A9 and is set back from the trunk road verge. In terms of the size and extent of the signage the applicants consider that it is of a size and visibility necessary for passing motorists to be able to identify the site and its housing purpose. **In requesting that this application for advertising consent be amended to refer only to the two groups of smaller vertical signs, a case has again been advanced for the necessity of this extent of signage. Reference is made to the difficulty of establishing customer recognition of the Highburnside development site, as well as referring to its segregation from Aviemore by the A9 trunk road. Supporting information also states that "on approaching from either a southerly or northerly direction on the A9 there is masking tree cover until almost the site boundary." Consequently the applicants consider that the two groups of smaller vertical signs for which advertising consent is now being sought "perform a valuable function in allowing driver identification of the site and its prospective use."**

6. Some background was also included in earlier submissions on the overall extent of signage that was put in place throughout the area at the time of the development launch in order to advertise the development. Yellow small 'AA' type lamp post signs were erected from the north and south A9 entrances. There was also a free standing 'Tulloch Homes' sign erected at the south entrance to Aviemore. All of those signs have since been removed. Reference has also been made to the signage and flag poles which have been erected immediately adjacent to the sales office, which is located on lower ground on the eastern side of the A9.
7. The submission from the applicants also refers for comparison purposes to the Robertson development at Aviemore North which they describe as having "extensive signage on the Grampian Road frontage" including 4 large 'V' shape signs and also flags. The applicants state that they are unclear as to why those signs are judged acceptable while the Tulloch Homes signs may not be in terms of the perceived impact on the aims of the National Park.
8. At the conclusion of the initial letter setting out the case for the advertising signage at Highburnside, Tulloch Homes indicated that marketing factors, particularly at the current time, make it imperative to properly identify the existence and purpose of the site for potential customers. **The applicants have indicated that they would be amenable to a consent for the two groups of**

vertical signs being limited to a twelve month period initially rather than their earlier requirement of a maximum of five years. It has however been indicated that they may require a renewal of advertising consent at the end of the initial twelve month period, should the need arise due to economic circumstances. In summary, the applicants view is that the signage would have limited and only localised impact and would over a relatively short time period, cause little material injury to the aims of the National Park.

## DEVELOPMENT PLAN CONTEXT

### **The Highland Structure Plan 2001**

9. Policy L4 (Landscape Character) states that in the consideration of development proposals, there will be regard to the desirability of maintaining and enhancing present landscape character. Policy G6 (conservation and promotion of the Highland Heritage) is applicable, where it is the general policy to conserve and promote sites which have been identified as high quality in terms of landscape etc..

### **Badenoch and Strathspey Local Plan 1997**

10. Section 2.2.20 of the Local Plan alludes to the fact that a degree of advertising is essential to many businesses, but notes that safeguards are required in the interests of amenity and traffic safety.

### **Cairngorms National Park Plan (2007)**

11. The National Park Plan sets out the 25 year vision for the national park and identifies priorities for action for the current five year period (2007 – 2012). At the outset the Plan recognises the special qualities of the Park and notes that the Cairngorms is widely recognised and valued as an outstanding environment, which people enjoy in manner different ways. Section 3.3 of the Plan is entitled 'Managing the Park in a Changing Environment,' with the drivers of change including climate change, population change, national and international policy and economic trends.
12. Section 5 of the Plan sets out the strategic objectives which are intended to provide the long term framework for managing the National Park. Under the heading of conserving and enhancing the special qualities of the national park, a section deals specifically with conserving and enhancing the natural and cultural heritage of the Park. It is advised that all new development and management of the landscapes and settlements should be based on a sound understanding of the

natural and cultural heritage of the Park. In discussing this strategic objective the Plan advises that all new development and infrastructure necessary to meet the needs of those living and working in the Park should be designed to complement and enhance the landscape character of its setting. It also advises that the potential impacts of man made developments, of which examples listed include roads, masts, utilities and road signs, will be assessed to ensure that designs and locations do not detract from the landscape character.

## CONSULTATIONS

13. As the signage is adjacent to the A9 trunk road **Transport Scotland** as the trunk roads network management authority were consulted. The proposal has been examined and the response indicates that **Transport Scotland** does not propose to advise against the granting of planning permission. As the signage is adjacent to a trunk road the Area Roads and Community Works division of Highland Council have indicated that they have no formal comment to make on the proposal.
14. **Aviemore and Vicinity Community Council** has examined the proposal and object. The objection is based on three grounds- the Community Council consider that the signage is a distraction for motorists and a serious hazard for trunk road traffic; the size, design and location are insensitive to the environment; and that the display boards are contrary to guidelines. **Aviemore and Vicinity Community Council was reconsulted on the revised proposals for a reduced number of signs. No response has been received to date. However, in the event of a response being received in the coming days, Members will updated on this at the Committee.**

## REPRESENTATIONS

15. No representations have been received in respect of the proposed development.

## APPRAISAL

16. The key considerations in assessing this application include whether or not the proliferation, size and design of the signs is acceptable, the impact of the signage on the visual amenity and landscape character of this part of the National Park and



also any traffic safety issues arising as a result of the signage. **The change in the nature of the application is also a factor, with advertising consent now being sought for the two smaller vertical groups of signs, and a commitment given by the applicants to remove the larger centrally positioned horizontal signage.**

17. Details have been provided in foregoing sections of this report on the numbers and size of the signage which is currently in place and for which advertising consent is now retrospectively being sought. Whilst not in any way condoning the developers approach of erecting the signage without the benefit of consent, the fact that they are currently in place is of assistance in understanding the impacts of the proposal. **The overall extent of signage originally proposed was of a substantial size, particularly the centrally positioned signs which has recently been omitted from the application. Any signage positioned adjacent to the A9 road frontage of the site will inevitably appear as a prominent feature in the immediate landscape, in particular when approaching along the A9 from either the northern or southern direction. However, the overall prominence and visual impact of the two smaller groups of vertical signs now proposed is significantly less than that of the original proposal. In addition to acknowledging the localised prominence of any advertising in this particular location, it is also necessary to acknowledge that any advertising generally results in some degree of prominence in all locations in which it is proposed.** Indeed it could be argued that this is the purpose of the concept of advertising. The overall impact of the two groups of smaller advertisements currently proposed should therefore be assessed in the context of the realities of the purposes of advertising. In addition, in the interests of consistency the assessment should also have regard to the precedent that has been set by the acceptance of advertisements for similar purposes elsewhere within the National Park. I also consider that it is appropriate to have regard to the case set out by the applicants regarding the necessity for some element of advertising signage at the proposed location, given the somewhat unique location of the Highburnside site, where it is physically divided from the main settlement area of Aviemore by the A9 trunk road and where site access is not easily identifiable from that road.
18. On the subject of traffic safety, I note the concerns raised by **Aviemore and Vicinity Community Council** where they describe the signage as a distraction for motorists and a serious hazard for trunk road traffic. However, as detailed in paragraph 13 of this report, **Transport Scotland** as the Trunk Roads Authority were consulted. The response does not raise any concerns regarding

traffic safety or object to the proposal. Given that this is the advice from the competent authority on the matter, it is the view to which the greatest weight must be given on the subject of traffic safety.

19. Taking all of the foregoing factors into account, I have formed the view that the reduced amount of advertising signage for which consent is now being sought is acceptable and would have a relatively limited localised visual impact and would not adversely impact upon the achievement of the overall aims of the National Park.

## **IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK**

### **Conserve and Enhance the Natural and Cultural Heritage of the Area**

20. Any level of advertising signage by its very nature has the potential to form a prominent feature in its immediate vicinity. However, having regard to its temporary nature, as well as the reduction in the amount of signage for which consent is being sought, the proposal would not hinder the long term achievement of conserving and enhancing the natural or cultural heritage of the area.

### **Promote Sustainable Use of Natural Resources**

21. The development proposal does not make any positive contribution to this aim.

### **Promote Understanding and Enjoyment of the Area**

22. The proposed advertisement display would not contribute to the general public's enjoyment or understanding of the special qualities of the area.

### **Promote Sustainable Economic and Social Development of the Area**

23. The proposed signage is primarily of benefit to the applicants as the signage is intended to advertise the sale of their residential development. The successful marketing of the properties could however be considered to have a spin off effect in the local economy, particularly in terms of employment generation on the construction site.

## RECOMMENDATION

24. That Members of the Committee support a recommendation to:

**Grant Temporary Advertisement Consent for the Display of Advertisements on land at Highburnside, Aviemore, subject to the following conditions : -**

1. This advertising consent refers only to the two pairs of vertical signs and is limited to a period of 12 months only. At the end of that time all of the signage shall be removed and the site shall be reinstated to its original condition, to the satisfaction of the Cairngorms National Park Authority acting as Planning Authority, unless before that date advertising consent for a further period has been granted by the relevant Planning Authority.
2. No illumination shall be used in connection with the advertising signage.

**Mary Grier**  
**Planning Officer, Development Management**

**6 November 2008**

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