
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **REPORT ON CALLED-IN PLANNING APPLICATION**

Prepared by: **MARY GRIER (PLANNING OFFICER,
DEVELOPMENT MANAGEMENT)**

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. Advertising consent is being sought for the display of a total of six signs, all of which are advertising the sale of properties which are being developed by Tulloch Homes (the applicants) at Highburnside. 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

2. The six advertising signs are 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.¹ The southern most pair of

¹ 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.

signs is vertically aligned, with each sign measuring 1220mm in height and 640 mm wide. Both signs bear the same information, advertising Highburnside as a “prestigious development of 3, 4 and 5 bedroom homes” and also providing details of the opening hours of the sales and marketing suite, as well as including the company name and logos. The northern most pair of signs mirror the size and information content of their southern counterparts. The third and largest set of signs is centrally positioned between the signage already described. The central signs, which are also arranged in a V shape, have a horizontal emphasis with the signs being 6 metres wide. As well as bearing the company name and logos in a similar format to the other signs, the main purpose of the largest signage is to provide directions, advising motorists to “leave the A9 at the next junction and follow the signs.” The V shape pairing of the signs ensures that the same information is available on all three groups of signs when viewed on either the southern or northern approaches. All of the signs also include a number of photographs containing images of the surrounding area. At their highest point the signs are a maximum of 5 metres above ground level.



Fig. 3 : Example of southern and northern signage

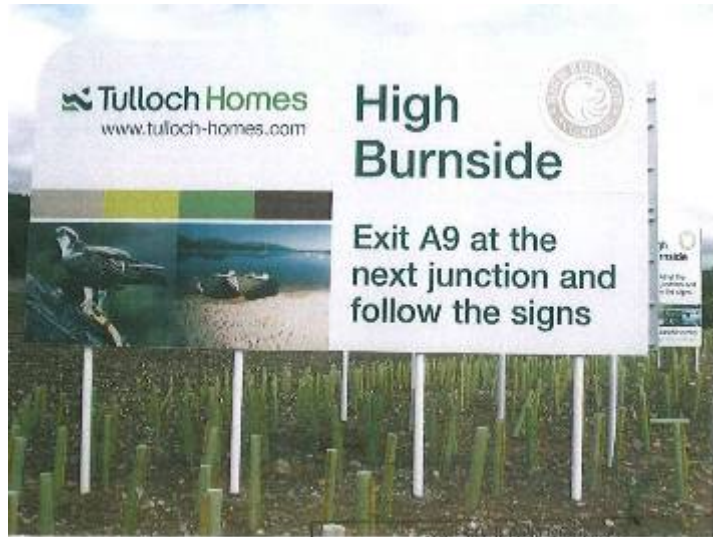


Fig. 4 : Example of centrally positioned sign

3. In response to a query on the planning application form regarding the 'period for which consent is required' the applicants have indicated that consent is 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 applicants case

4. Some information on the background to the need for the signage has also been set out in the supporting letter, where it is 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."² 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 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.
5. Some background has also been provided 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.
6. 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

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

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.

7. At the conclusion of the letter setting out the case for the advertising signage at Highburnside, Tulloch Homes indicate that marketing factors, particularly at the current time, make it imperative to properly identify the existence and purpose of the site for potential customers. In correspondence from the CNPA to the applicants earlier in the assessment of the application, information has been sought on whether or not more limited signage at an alternative, less prominent location within the site would satisfy the applicants marketing requirements. The recently received response from the applicants indicates that they "do not consider it realistic to place signage on this site without it being prominent to the A9." They have however indicated that they would be amenable to a consent being limited to a temporary 12 month period rather than the initial requirement of a maximum of five years. The applicants view in summary is that the signage would have limited and only localised impact and would over a short time period, cause little material injury to the aims of the National Park.

DEVELOPMENT PLAN CONTEXT

The Highland Structure Plan 2001

8. 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

9. 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)

10. 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.

11. 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

12. 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.
13. **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.

REPRESENTATIONS

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

APPRAISAL

15. 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.
16. 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 signage is of a substantial size and forms a prominent feature in the immediate landscape, particularly approaching on the A9 from either the north or south. However, whilst acknowledging the localised prominence of the advertisements, it is also necessary to acknowledge that any extent of advertising generally results in some degree of prominence. Indeed it could be argued that this is the purpose of the concept of advertising. The overall impact of the currently proposed advertisements 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.
17. On the subject of traffic safety, I note the concerns raised by **Aviemore and Vicinity Community Council** where they note that the signage is a distraction for motorists and a serious hazard for trunk road traffic. However, as detailed in paragraph 12 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.

18. Another aspect to consider in this application is the reduced time scale for which the applicants are now seeking planning consent. Undoubtedly the initial time period suggested of 'up to five years' would give me cause for concern, particularly taking into account the likelihood of signage deteriorating over this period of time, as well as the physical presence of the signs interfering with the growth of the recently undertaken planting scheme in this area of the site. However the recent suggestion from the applicants of their willingness to accept temporary 12 month consent is a factor on which I am placing significant weight. In making this statement I am firstly having regard to the limited and localised impact which the presence of the signage would have at this location for a strictly limited 12 month period. Secondly I also consider that it is necessary to weight up the practical implications of any potential decision to either grant advertising consent for that limited period versus a potential decision to refuse advertising consent, with the associated necessity to instigate enforcement action to secure the removal of the signage. As Members will be aware the latter situation can be a somewhat protracted process, in which one must realistically recognise that any required removal of the advertisements may not be achieved for quite some time.
19. Taking all of the foregoing factors into account, I have formed the view that the advertising signage is on balance acceptable and would have a relatively limited localised visual impact, which could be tolerated over a strictly limited time period without adverse impact on the overall achievement of the aims of the national park. In recommending acceptance of the advertising structures for a limited period of 12 months, it is subject to a stipulation that all signage should be removed from the site immediately following the expiry of that period and that no further advertising consent would be permitted in this area of the Highburnside site regardless of factors such as the state of the economy or the level of sales activity at the site.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

20. While forming a prominent feature in the immediate vicinity the advertising signage is of a temporary nature and 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 is limited to a period of 12 months only and 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.
2. No illumination shall be used in connection with the advertising signage.

Advice note :

1. This advertising consent is for a strictly limited period of 12 months as referred to in condition no. 1. Favourable consideration is unlikely to be given to any subsequent applications seeking advertising consent for any form of signage along the A9 boundary of the Highburnside site.
2. In the event that the signage is not removed immediately following the expiry of the 12 month period of consent, enforcement proceedings will be initiated to secure its removal.

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6 October 2008

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