

FALKIRK COUNCIL

Subject: DISPLAY OF NON-ILLUMINATED ADVERTISEMENT
(RETROSPECTIVE) AT WM MORRISON SUPERMARKET
PETROL FILLING STATION, HOPE STREET, FALKIRK FK1
5AT FOR WM MORRISON SUPERMARKETS PLC -
P/13/0409/ADV

Meeting: PLANNING COMMITTEE

Date: 22 August 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk North

Provost Pat Reid
Councillor David Alexander
Councillor Dr C R Martin
Councillor Cecil Meiklejohn

Community Council: No Community Council

Case Officer: Stephen McClure (Planning Officer), Ext. 4702

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The site consists of a road junction in Falkirk Town Centre which is controlled by automated traffic signals, and is the main access to Wm Morrison Supermarket and Petrol Station. The junction is located on one of the main road access routes to and from Falkirk Town Centre. The proposal consists of an advertisement hoarding adjacent to the petrol station and the road junction. The hoarding is positioned to advertise to traffic (vehicular & pedestrian) passing through the road junction. The application is retrospective because the hoarding is already in this location.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called to Committee by Councillor Cecil Meiklejohn.
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3. SITE HISTORY

- 3.1 P/08/0538/ADV - display of non-illuminated advertisement (1 x 1.5 x 8 metres hoarding) (retrospective) - refused consent and enforcement action implemented.

4. CONSULTATIONS

- 4.1 The Roads and Development Unit were consulted on the application. As with the previous application for the site (P/08/0538/ADV), due to the location at the junction which is controlled by automated traffic signals and includes pedestrian crossings, it is a road safety concern. The general size, location and associated advert space are considered a distraction for all users of the junction, and therefore it would not be in the best interests of road safety to grant advertisement consent.

5. COMMUNITY COUNCIL

- 5.1 No Community Council formed in this area.

6. PUBLIC REPRESENTATION

- 6.1 During consideration of the application, no letters of objection or representation were received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

- 7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

- 7a.2 Policy EQ10 - 'Advertisements' states:

"Proposals for advertisements will not be permitted where they would have an adverse effect on the visual amenity of the property or the wider area, or would create a road safety hazard. In particular:

- (1) the prevention of advertising clutter through a proliferation of signs on a property or in a locality will be a priority;*
- (2) advertising should be sensitive to the property on which it is mounted in terms of scale, design and positioning, and should be seen as part of the overall design of the property, rather than an add-on;*
- (3) illumination of adverts will be controlled in the interests of amenity and road safety, and will generally be prohibited outwith the Urban Limit.*

- (4) *advance directional signs will not generally be permitted unless the display is considered to be in the public interest;*
- (5) *advertising boardings and rotating/moving advertisements will not be permitted where:*
 - *they will prejudice the area enhancement priorities set out in Policy EQ7 by virtue of visual intrusion;*
 - *they will compromise residential amenity; or*
 - *they are likely to cause driver distraction, or interfere with visibility at conflict points such as junctions, pedestrian crossings, hazard warning signs, low bridges and sections of road with poor forward visibility."*

7a.3 The advertisement hoarding in its current location creates a road safety issue. Coupled with the size and advertisement space of the hoarding, it is a distraction to vehicular and pedestrian traffic, at a heavily used junction on a main artery to and from the town centre. It should be noted that drivers have to currently also cope with additional road signage at the junction, due to diversions. It is important that drivers are not distracted by further unnecessary signage. The hoarding is also not used to screen any unsightly buildings or land and is located some distance from the actual supermarket that it is used to advertise. Therefore, the hoarding is seen to be unacceptable and would not accord with Policy EQ10.

7a.4 Accordingly, the proposal does not accords with the Development Plan.

7b Material Considerations

7b.1 The material consideration to be assessed is the Falkirk Local Development Plan – Proposed Plan.

Falkirk Local Development Plan - Proposed Plan

7b.2 The Proposed Falkirk Local Development Plan was approved by the Council for consultation in March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications.

7b.3 Policy D05 - 'Advertisements' states:

"Proposals for advertisements will not be permitted where they would have an adverse effect on the visual amenity of the property or the wider area, or would create a road safety hazard. In particular:

1. *The prevention of advertising clutter through a proliferation of signs on a property or in a locality will be a priority;*
2. *Advertising should be sensitive to the property on which it is mounted in terms of scale, design and positioning, and should be seen as part of the overall design of the property, rather than an add-on*
3. *Illumination of adverts will be controlled in the interests of amenity and road safety, and will generally be prohibited outwith the Urban Limit;*
4. *Advance directional signs will not generally be permitted unless the display is considered to be in the public interest; and*

5. *Advertising boardings and rotating/moving advertisements will not be permitted where*
 - *they will prejudice the placemaking priorities set out in Policy D01 by virtue of visual intrusion;*
 - *they will compromise residential amenity; or*
 - *they are likely to cause driver distraction, or interfere with visibility at potential conflict points such as junctions, pedestrian crossings, hazard warning signs, low bridges and sections of road with poor forward visibility.”*

7b.4 Policy D01 - ‘Placemaking’ states:

“The following locations are regarded as key opportunities for placemaking within the area, within which there will be a particular emphasis on high quality design and environmental enhancement:

1. *Strategic Housing Growth areas & Business Locations*
2. *Town and Village Centres*
3. *Town Gateways and Major Urban Road Corridors*
4. *Canal corridor*
5. *Central Scotland Green Network”*

7b.5 The relevant policies contained within the Falkirk Local Development Plan (Proposed Plan April 2013) are considered to highlight the same issues as those within the current adopted plan. There are no material considerations within the policies which would cause the proposal to be assessed in a different manner and/or justify an approval of advertisement consent. It is therefore considered that the proposal does not accord with Policies D01 and D05 of the Falkirk Local Development Plan (Proposed Plan April 2013).

7c Conclusion

7c.1 It is considered that the Advertisement does not accord with the terms of Policy EQ10 of the Falkirk Council Local Plan and Policies D01 and D05 of the Falkirk Local Development Plan (Proposed Plan April 2013).

8. RECOMMENDATION

8.1 It is therefore considered that Committee

(a) refuse advertisement consent for the following reasons:-

- (1) The development does not accord with the terms of Policy EQ10 of the Falkirk Council Local Plan and Policies D01 and D05 of the Falkirk Local Development Plan (Proposed Plan April 2013). The location of the hoarding creates an unacceptable road safety hazard for both vehicular and pedestrian traffic at the junction. In addition to this, the hoarding is not required for screening purposes and is located some distance from the actual supermarket, which it is used to advertise.

(b) authorise enforcement action to be undertaken to ensure removal of the hoarding which is already in place.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 and 02.

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Director of Development Services

Date: 13 August 2013

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan
2. Falkirk Local Development Plan (Proposed Plan April 2013)

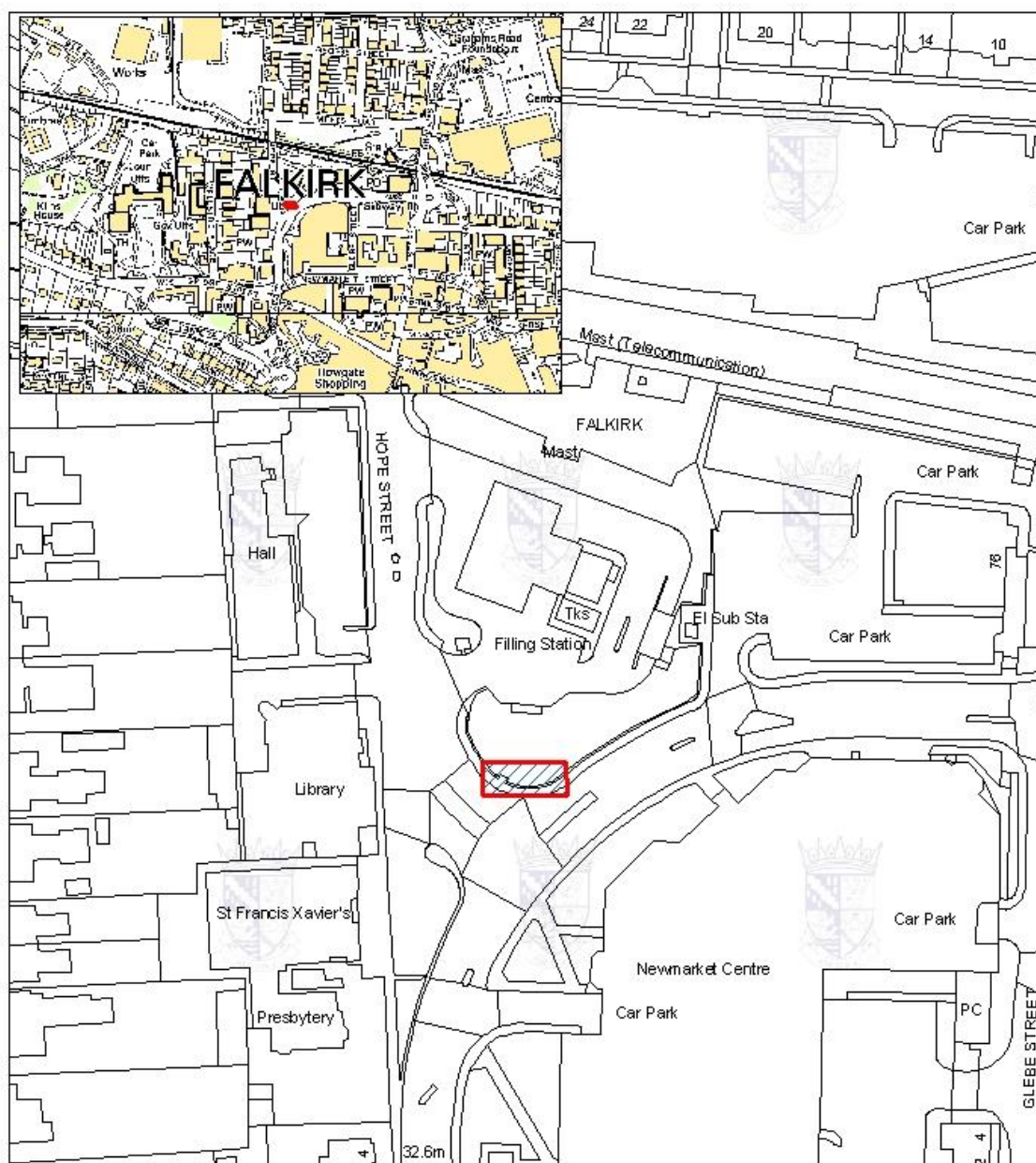
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504702 and ask for Stephen McClure, Planning Officer.

Planning Committee

Planning Application Location Plan

P/13/0409/ADV

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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