
NORTH AYRSHIRE COUNCIL

4 September 2019

Planning Committee

Title: Control of Advertisements Planning Guidance

Purpose: To seek approval to update the Council's adopted current planning guidance on advertisements

Recommendation: It is recommended that Planning Committee: -

- i) grants delegated powers to the Head of Economic Development and Regeneration to adopt the proposed Control of Advertisements Planning Guidance, subject to confirmation that a strategic environmental assessment is not required; and,
- ii) approves the deletion of the current Control of Advertisements Planning Guidance at the point of adoption of the reviewed guidance.

1. Executive Summary

1.1 In March 2019, the Planning Committee approved the commencement of a review of the Council's existing planning guidance. As part of the review, an early update to the Council's planning guidance on advertisements has been completed and this report seeks delegated powers to approve the guidance as a material planning consideration in determining applications for advertisement consent, subject to confirmation that a strategic environment assessment procedures. The updated guidance is attached as Appendix 1.

2. Background

2.1 As part of the work programme to review all planning guidance approved by Planning Committee in March 2019, work has commenced to develop a work programme to implement a comprehensive review. Planning guidance is a material planning consideration that provides planning policy guidance to supplement a council's local development plan.

2.2 The review of guidance on advertisement consents has been undertaken to reflect that forms of signage, which are now commonplace, but which were not at the time of the adoption of the current guidance, are not adequately covered by the existing policy guidance. Consequently, the policy review has reflected on, and created criteria to control the display of adverts, for example, for totem signage and signage on roundabouts. The review has also updated terms of reference, which had become out-of-date since the adoption of the current guidance.

- 2.3 The updated guidance supports the use of totem pole signage at appropriate location (e.g. retail parks) and signage on roundabouts, where there are no road safety issues, and the proposal is within a settlements boundary and avoids high amenity areas, such as wholly residential areas, conservations areas and the setting of listed buildings. This update is intended to support and control advertising in appropriate locations, to continue to address clutter and assist to reduce proliferation of unauthorised signage.
- 2.4 The reviewed guidance retains all existing guidance for other signage types including hoardings, advance signs, freestanding illuminated signs; as well as guidance on signs affecting built heritage assets, coastal areas, clutter and skyline signs.
- 2.5 In undertaking the review and producing additional guidance, advice on road safety was considered. The Head of Commercial Services has confirmed that the types of signage contained in the reviewed guidance will not, in principle, give rise to road safety concerns. The impact of proposals on both amenity and public safety will be considered on a case-by-case basis through the planning process which includes robust review by Roads Services on any road safety issues when determining approval for applications.
- 2.6 The planning guidance relates to policies contained in the Local Development Plan, which has been the subject of a full strategic environmental assessment. As such, the advertising planning guidance, particularly given its content, does not require to undergo a comprehensive strategic environmental assessment. A screening report has been completed to reflect this view and is currently being considered, by the Scottish Government Environmental Gateway, for a period of 28 days from submission. In anticipation that this position is accepted, members are asked to approve the delegation of authority to the Head of Economic Development and Regeneration to adopt the guidance, and the deletion of the current guidance, at that time.

3. Proposals

3.1

It is recommended that Planning Committee: -

- i) grants delegated powers to the Head of Economic Development and Regeneration to adopt the proposed Control of Advertisements Planning Guidance, subject to clearance from the Scottish Government Environment Gateway; and,
- ii) approves the deletion of the current Control of Advertisements Planning Guidance at the point of adoption of the reviewed guidance.

4. Implications/Socio-economic Duty

Financial

4.1 No planning implications.

Human Resources

4.2 None.

Legal

4.3 None.

Equality/Socio-economic

4.4 None.

Environmental and Sustainability

4.5 The advertisement guidance has been the subject of a screening report for strategic environmental assessment purposes expressing the Council's view that the guidance should not be the subject of a strategic environmental assessment, because the related local development plan has been the subject of same; and the impact of the guidance will not give rise to significant environmental impacts. The Council is awaiting conformation of the acceptability of this position from the Scottish Government, upon which the guidance can be adopted, subject to the approval of this report.

Key Priorities

4.6 The policy is intended to manage proposals for signage and to continue to address signage clutter and proliferation in areas which have a high amenity value. The adoption of this guidance will contribute to the North Ayrshire Council Plan priority outcome that North Ayrshire is a vibrant, welcoming and attractive environment.

Community Wealth Building

4.7 None.

5. Consultation

5.1 Consultation with Commercial Services has been undertaken by Planning Services.

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Neale McIlvanney name, Strategic Planning Manager**, on **01294 324686**.

Background Papers

Appendix 1 – Control of Advertisements Planning Guidance

Control of Advertisements Policy

Planning Guidance

North Ayrshire Council

Control of Advertisements Policy

1. Introduction

The purpose of advertising is to provide information to the public, whether by advice, direction or announcement of goods and services provided. When used in moderation, this function is adequately served and there should be no conflict with public safety or amenity. However, when a multiplicity of signs is used or when an advertiser seeks a larger or brighter sign than competitors the original purpose of the sign is lost due to the visual confusion which results.

The display of most advertisements requires consent and applications for consent are determined with regard to amenity and public safety.

The policy selected must be broad in its approach and flexible enough to cater for different circumstances, within the terms of the Regulations, as a proposal which might be deemed unsuitable in one location might well be acceptable in another. The overriding consideration in each individual case must be public safety and amenity.

The following policy, therefore, has been adopted by North Ayrshire Council as a basis for the control of advertisements. This document aims to provide advice on advertisements requiring express consent. This policy does not apply to shopfront signage, which can be found within the Councils approved Shopfront Design Guidance. (<http://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/Planning/shopfront-design.pdf>)

2. Scope of Powers

The legislation dealing with the control of advertisements is the [Town and Country Planning \(Control of Advertisements\) \(Scotland\) Regulations 1984](#). The powers available under this legislation are only exercisable in two respects, amenity and public safety. In terms of amenity, the local planning authority are obliged to take account of the general characteristics of the area, particularly any feature of architectural, historic, cultural or civic interest. In terms of public safety, the local planning authority must have regard to the potential effect of the proposed advertisement on road traffic signs, railway signals or any aid to navigation by water or air. Certain categories of advertisements can be displayed without express consent. The main categories are functional advertisements such as:

- a) road signs
- b) advertisements relating to business premises, with restrictions on size and height
- c) certain advertisements of a temporary nature, e.g. on building sites

Generally illuminated or projecting signs are not included in these categories.

3. Areas of Special Control

Subject to the approval of Scottish Ministers, the legislation permits the local planning authority to designate any part of its areas as an area of special control, which would generally protect areas of high landscape or townscape value. North Ayrshire Council has not designated any areas of special control.

4. Application of Policy

Some types of advertisements which require express consent can be considered under the following heading: -

a) Hoardings

In certain circumstances hoardings can provide environmental benefits in their locality where they mask visibility into derelict or vacant land. However, given the size and visual impact of many hoardings, careful consideration should be given to such proposals.

b) Advance Signs

Advance signs will only be permitted in rural areas in relation to isolated businesses which satisfy the following criteria:

- They are substantially dependant on passing trade from outwith the immediate vicinity. The premises and associated signs which could be erected without express permission are not readily visible from an A Class road, and
- The local directional signposting is inadequate for identification purposes.

Where permitted, advance signs should conform to a standard design, agreed by North Ayrshire Council and should identify the premises, its location and principal function using a combination of words and standard symbols. A maximum of one double-sided or two single-sided signs shall be permitted at the nearest A Class road junction to the establishment advertised, and, thereafter directional signs of a standard type at minor road junctions as agreed by North Ayrshire Council.

c) Freestanding Signs (including illuminated)

These signs are mainly associated with petrol stations, repair garages and drive thru's which are often situated in non-commercial areas. In order to minimise visual intrusion, only one pole mounted identification sign shall be permitted on each road frontage of the premises. In addition, illuminated signs on canopies over pumps shall be permitted provided that they do not increase the depth of the canopies or interfere with road safety.

Retail parks and commercial centres often use totem signs to advertise stores within the park area. Totem signage will only be permitted within the retail park area and subject to there being no adverse impact on road safety and the amenity of the area (including adverse impact on sensitive land uses such as residential).

d) Permitted Advertising and Sponsorship

The Council supports the creation of sponsored signage space at locations in North Ayrshire where it is in keeping with the amenity of the area and doesn't compromise road safety, by complying with the following criteria. This will assist to reduce unauthorised signage, creating a more attractive and welcoming environment for residents, visitors and business. The Council will support the creation of advertising space within settlement boundaries where the signs conform to a standardised approach for roundabout signs by:

- being positioned to avoid conflict with existing road signs and avoiding directional words or arrows, which might be confused with traffic direction signs;
- Minimising the impact of the advertising structure, by reducing the visibility of the signage frames, ensuring adverts are displayed no higher than 1.5m from ground level; by non-reflective finishes on all surfaces and ensuring, on an individual basis, that driver visibility of the traffic route is not adversely affected or obscured.
- ensuring signs are non-illuminated;
- not resulting in clutter by way of over-provision of signage on any one roundabout;
- avoiding locations that have a high amenity value, such as open countryside, wholly residential areas, conservation areas (and their setting) and areas affecting the setting of a listed building, scheduled ancient monuments/ or historic parks and gardens.

It should be noted that consent will be required for the advertising structures; however, the content of the advertising space will not be a subject to planning control. Control of content will be exercised outwith the planning system, and through corporate management of any such signage location.

5. Other Special Circumstances

a) Conservation Areas

Within Conservation Areas, normal standard signs may not be appropriate, and any signs should be individually designed to relate to enhance the character of the area and the style of building.

b) Listed Buildings

Any sign to be erected on a Listed Building used for business or commercial purposes should be carefully designed to relate to the character and style of the building. Where it is considered that signs which have deemed consent adversely affect the appearance or setting of a Listed Building, the discontinuance procedure may be followed to remove those signs considered inappropriate. Listed building consent will also be required for advertisement on listed buildings.

c) Coastal Zone Advertisements shall not be permitted which would interfere with the seaward views available from the coastal roads and be detrimental to the amenity of the area.

d) Clutter

Where a proliferation of advertisements occurs on a site or building to the detriment of the amenity of the area, enforcement action will be considered. In particular, this will be considered where important buildings or views are adversely affected, or where road safety is adversely affected.

e) Skyline Signs

Signs or advertisements which would project above the roof of the building on which they are displayed will generally not be supported. This restriction will be applied to both flat and pitched roofs.

6. Summary

- Advance signs shall not be permitted except where in the opinion of the local planning authority the display is considered to neither harm amenity or public safety and be in the public interest and/or where special justification of need is shown.
- Applications for hoardings will be given careful consideration.
- Only one pole-mounted illuminated sign shall be permitted on each road frontage of petrol filling stations etc. Illuminated signs over pump canopies shall be permitted provided they do not increase the depth of the canopy.
- Applications for advertisements displayed within Conservation Areas will be the subject of careful consideration. The design of signs must be carefully integrated with the special character and form of these visually sensitive areas.
- Applications for the display of advertisements on listed buildings will be subject of careful consideration. Such signs must not detract from the inherent architectural value of these buildings and in most cases will have to be specifically designed.