

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 13 JUNE 2023

ADVERTISEMENT CONSENT APPLICATION – LINKS HOUSE, CARNOUSTIE GOLF
LINKS, LINKS PARADE, CARNOUSTIE
GRID REF: 356059 : 734195

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

Abstract: This report deals with advertisement consent application No. [23/00244/ADV](#) by CGLMC Ltd for the display of 9 No. free standing signs at various locations at Links House and Links Parade, Carnoustie. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

3.1 The applicant seeks advertisement consent for the display of 9 No. free standing signs at various locations in the vicinity of Links House and Links Parade, Carnoustie. A plan showing the location of the site is provided at Appendix 1.

3.2 The proposed signs would be located adjacent to car park entrances on Links Parade; adjacent to the carriageway of Links Parade to the west of the hotel; and within and adjacent to car parks close to the golf courses at Carnoustie Links. Eight of the proposed signs would comprise directional panels mounted between timber upstands. The remaining sign would comprise individual, layered metal letters set on a wall. This sign would be illuminated.

3.3 The council has an ownership interest in the land where advertisements would be displayed. However, that ownership interest is not relevant to determination of this application.

4. RELEVANT PLANNING HISTORY

There is no planning history relevant to the determination of this application.

5. APPLICANT'S CASE

A short statement has been provided identifying potential means for illumination of the proposed 3D title sign located in the proximity of Links House. It indicates that the lighting would be colour neutral/ warm-white and not coloured.

6. CONSULTATIONS

- 6.1 **Angus Council Roads** – no objection.
- 6.2 **Scottish Water** – no comment.
- 6.3 **Angus Council Environmental Health** – no objection.
- 6.4 **Aberdeenshire Council Archaeology Service** – no objection.
- 6.5 **Carnoustie Community Council** – objects to the application raising concern regarding detrimental impact on open space; potential interference with visibility sightlines at road junctions; and potential issues in relation to protected species and habitats. *A copy of the full representation made by the community council is provided at Appendix 2.*

7. REPRESENTATIONS

No letters of representation have been submitted by third parties.

8. PLANNING CONSIDERATIONS

- 8.1 Regulation 4(1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 limits the exercise of the powers of control of advertisements solely to the interests of amenity and public safety, and these matters are elaborated in regulation 4(2). Accordingly, the determining issues in relation to this application are whether the proposed display would be contrary to the interest of amenity or public safety.
- 8.2 In terms of amenity, regulation 4(2)(a) states that the suitability of a site for the display of advertisements should be determined in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
- 8.3 In this case, the sign would not be located in an area subject to any built, cultural, or natural heritage designation. There are listed buildings in the area, but those buildings and their setting would not be adversely affected by the proposals. The signs would be located within an area where there are a number of recreational uses, and directional and other associated signage is not unusual. The majority of the signs would be functional in nature providing information and direction relevant to the location. They would be located in proximity of existing features such as car parking areas, buildings, entrance features and signage, and or planting. The proposed sign to the east of Links House would provide a feature indicating arrival at a destination and while it would be illuminated, it would generally be screened from nearby residential property by existing buildings, and it would be located in an area where Links House and the Carnoustie Hotel provide illumination to the immediate area.
- 8.4 Directional and arrival signage of the nature proposed is not unusual or uncommon in recreational areas. The signs are typical of those that might be found in the proximity of notable building and car parks in recreational areas where it is appropriate to provide direction. The signage would be associated with existing features and impact on the otherwise open character of the links would be minimal. The proposed signs would not give rise to significant adverse impact on the amenity of the area. A condition is proposed requiring submission and approval of the precise detail of the means of illumination for the sign to the east of Links House in the interests of amenity.
- 8.5 The proposed signs would be set back from the public roadway and would not interfere with sightlines associated with road junctions. A condition is proposed that

requires the signs to be positioned in accordance with the detail provided on the accompanying location plan. The roads service has confirmed it has no objection to the application. The proposed signs do not give rise to any other significant issues in terms of relevant public safety considerations.

- 8.6 The council's advice note 17 provides miscellaneous planning policies. It is informal guidance, and it has no statutory effect. However, it provides useful context for the consideration of relevant matters, and it includes policy on directional signs within towns. The advice note indicates that directional signage will not normally be permitted within urban areas, but further indicates that exemption may be made for tourist attractions. The proposed signage is associated with a major tourist attraction, and while it is directional in nature, the signs would be located in proximity of the features they seek to identify. The advice note policy is generally seeking to avoid advance directional signage at locations remote from the advertised establishment. There are policies in the development plan that seek to safeguard amenity and road safety but those are of limited relevance to an application for the display of advertisements as proposed.
- 8.7 The matters regarding amenity and safety raised by the community council are addressed above. In addition, the community council has suggested that the illuminated sign might affect wildlife and suggests that the Conservation (Natural habitats &c) Regulations 1994 would seem to apply in this case. Those regulations cover the requirements for protecting sites that are internationally important for threatened habitats and species (European sites), and they provide a legal framework for species requiring strict protection (European protected species). The proposed signs are not located within an area designated as a European site, and there is no evidence that the erection of signs at the locations proposed would have any significant adverse impact on any European protected species. While the sign would be illuminated it is located adjacent to buildings that contain significant areas of glazing and that are commonly illuminated at night. There is no evidence to suggest that additional illumination associated with the proposed sign would adversely affect wildlife.
- 8.8 The proposed signs do not give rise to any significant adverse impact on amenity, and they do not adversely affect public safety. In such circumstance, there are no reasons to justify refusal of advertisement consent.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of advertisement consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

10. CONCLUSION

It is recommended that the application be approved subject to the following conditions in addition to the standard conditions applied by regulations to all advertisement consents:

Conditions:

1. The advertisements shall be sited in accordance with the location plan drawing number 2658_PL_001.

Reason: In order to clarify the terms of this consent in the interests of amenity and public safety.

2. The 3D title sign shall not be illuminated until the precise detail of the means of illumination has been submitted to and approved in writing by the planning authority. No other sign hereby approved shall be illuminated.

Reason: In order that the planning authority may verify the acceptability of the means of illumination in the interests of the amenity of the area and to clarify the terms of this consent.

The Standard Conditions applicable to the display of advertisements imposed by the advertisement consent regulations are as follows:

1. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the local planning authority.
3. Where any advertisement is required under the Regulations to be removed, the removal thereof shall be carried out to the satisfaction of the local planning authority
4. Before an advertisement is displayed on land the permission of the owner of that land or other person entitled to grant permission shall be obtained.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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APPENDIX 1: LOCATION PLAN

APPENDIX 2: COMMUNITY COUNCIL REPRESENTATION