

ITEM No. 5

704/97
Report No ~~674~~/97

ANGUS COUNCIL

DEVELOPMENT CONTROL COMMITTEE

12 JUNE 1997

SUBJECT: ENFORCEMENT ACTION - FORFAR

REPORT BY DIRECTOR OF PLANNING, TRANSPORT & ECONOMIC DEVELOPMENT

Abstract: This report presents the circumstances surrounding a recommendation to take enforcement action in relation to the erection of an illuminated sign on the front elevation of the Plough Inn, Market Street, Forfar.

1 RECOMMENDATION

- 1.1 It is recommended that the Committee agree to enforcement action in relation to the erection of an illuminated sign on the front elevation of the Plough Inn, Market Street, Forfar.

2 INTRODUCTION

- 2.1 The Plough Inn, Market Street, Forfar, is neither a Listed Building nor located within a Conservation Area however it is a predominant feature in this part of the town.

3 CASE HISTORY

- 3.1 On 7 August 1996 it was noted that an illuminated sign advertising Tennent's lager had been erected upon the front elevation of the Plough Inn, Market Street, Forfar at mid first floor level. The height of the sign made it particularly visually prominent.
- 3.2 A check of records held within this Department revealed that no application had been made to secure a consent to display an advertisement.
- 3.3 Mr Brown, the owner and holder of the alcoholic liquor licence was informed of the requirement to obtain planning consent. Mr Brown stated that he had not requested the sign to be installed, the erectors had called unannounced and fixed the sign in position.
- 3.4 Through past experience the erector of Tennent's signs is known to be Addax Signs & Displays, Glasgow. In consequence this company was notified by letter seeking a retrospective application or the removal of the sign.
- 3.5 On 7 January 1997, after a further reminder by telephone, an application was submitted.
- 3.6 On 27 February 1997 this application was submitted to the Committee and granted conditional approval.

- 3.7 Condition No 1 made it clear that there be no departure from the approved and docketed plans which showed clearly the removal of the sign in question from its high position at first floor level to a location at fascia height.
- 3.8 Despite telephone calls to the Addax offices the offending sign was not repositioned in keeping with Condition No 1 attached to Advertisement Approval reference 03/97/1001 ADV.
- 3.9 On 23 April 1997 a letter was sent to Addax requiring adherence to Condition No 1 but the sign remains at first floor level.
- 3.10 Accordingly the sign remains located high on the building in breach of the planning consent and contrary to the Council's normal practice of requiring such signs to be sited at fascia level.

4 FINANCIAL IMPLICATIONS

- 4.1 There are no significant financial implications.

5 CONSULTATION

- 5.1 The Chief Executive and Directors of Finance and Law & Administration have been consulted in the preparation of this report.

6 CONCLUSION

- 6.1 Addax Signs & Displays were sent a copy of the Approval Notice and as stated herein requests were made by both telephone and letter in an effort to achieve compliance with Condition No 1.
- 6.2 Addax continues to ignore planning legislation when erecting signs on behalf of Tennent's Caledonian Breweries as in the majority of occasions the company fails to seek approval prior to erecting signs. This is an example of this business practice which has ignored the requirements of the Development Control Committee leading to the existence of a visually intrusive projecting sign at a location contrary to policy and creating a precedent for other applicants.

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.

AA/GC/MR

23 May 1997

Alex Anderson
Director of Planning, Transport & Economic Development