

ABERDEEN CITY COUNCIL

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COMMITTEE	Development Management Sub-Committee	
DATE	17 January 2012	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/13/001	

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1. PURPOSE OF REPORT

- 1.1 To advise Committee about recent appeal decisions, recent updates in Scottish Government Planning Advice and other aspects of the planning service.

2. RECOMMENDATION

- 2.1 To note the outcome of the appeal decision.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from these appeal decisions.

4. OTHER IMPLICATIONS

- 4.1 The report is for information and does not have any implications for any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications and risks.

5. BACKGROUND/MAIN ISSUES

**APPEALS DISMISSED  
40-42 Thistle Street**

An appeal against the Council's decision, issued under delegated powers, to refuse advertisement consent for the display of signage at 40-42 Thistle Street in the west end of Aberdeen, on the basis of detriment to visual amenity and creation of an adverse precedent, has recently been determined (on 18/12/12). The Reporter agreed with the Council's basis for refusal and dismissed the appeal. He considered that the excessive prominence of the advertising proposed to be detrimental to visual amenity. In relation to the precedent issue, he also considered that if the form of advertising proposed in the appeal were frequently repeated, the visual characteristics of Thistle Street would be significantly altered. A weblink to the Reporter's decision is provided below :-

## **40-42 Thistle Street – Costs**

A related appeal for costs against the Council on the grounds of alleged unreasonable behaviour related to the above case was also dismissed at the same time. The reporter found that the Council had acted in a reasonable manner and had adequately explained its reasons for refusal. He emphasised that the visual impact of the signage on amenity is a matter of judgement and considered the reference to the Council's supplementary guidance regarding signage in the first reason for refusal regarding impact on amenity was appropriate given that the objective of the guidance is to protect visual amenity. A weblink to this decision is also provided below :-

<http://www.dpea.scotland.gov.uk/Documents/qA319794/A4740331.pdf>

## **6. IMPACT**

The Scottish Government has stated that an effective planning service is fundamental to achieving its central purpose of sustainable economic growth. As such the information in this report relates to a number of Single Outcome Agreement Outcomes:

- 1 - We live in a Scotland that is the most attractive place for doing business in Europe;
- 2 - We realise our full economic potential with more and better employment opportunities for our people;
- 10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need;
- 12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations;
- 13 - We take pride in a strong, fair and inclusive national identity; and
- 15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.

Public – The report may be of interest to the development community and certain matters referred to in the report may be of interest to the wider community.

## **7. BACKGROUND PAPERS**

None.

## **8. REPORT AUTHOR DETAILS**

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