

Development Management Sub Committee

Wednesday 7 March 2018

**Application for Advert Consent 17/04879/ADV
At 72 - 74 Niddrie Mains Road, Edinburgh, EH16 4BG
Internally illuminated LED digital advertisement hoarding.**

Item number	4.3
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The proposal will have an acceptable impact on the amenity of the location and on public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), taking account of the Council's guidance on Advertisements, Sponsorship and City Dressing. A grant of express consent is recommended. There are no material considerations which outweigh this conclusion as advertisement control shall be exercisable only in the interests of amenity and public safety.

Links

[Policies and guidance for this application](#) NSADSP,

Report

Application for Advert Consent 17/04879/ADV At 72 - 74 Niddrie Mains Road, Edinburgh, EH16 4BG Internally illuminated LED digital advertisement hoarding.

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

This application site is located on the south side of Niddrie Mains Road on the eastern elevation of an existing shop front which forms part of the boundary of the existing Tesco car park. The site is currently the location of an existing internally illuminated scrolling 48 sheet display.

2.2 Site History

10 May 2006 - Express consent was granted for an application (06/01946/ADV) for a 48 sheet advertising hoarding with scroller display unit.

Main report

3.1 Description Of The Proposal

The proposal is for the removal of the existing display and its replacement with a digital screen of the same dimensions (6.25m by 3.5m). It is proposed that the screen will display static images with no movement or animation. There is to be no increase in overall luminance, which will be controlled by sensor and within the recommended levels set by the Institute of Lighting engineers.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) The proposal will harm amenity;
- b) The proposal will harm road or public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) Comments raised have been addressed.

a) Amenity

The display faces east towards the existing Tesco store and the East Neighbourhood Centre. There are no residential properties present that will be affected by the proposal. There are no features of historical, architectural, cultural or similar interest within the vicinity.

The proposal is in accordance with the Council's guidance on Advertisements, Sponsorship and City Dressing.

The proposal will have an acceptable impact on the amenity or the location in accordance with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

b) Road and Public Safety

The advertisement would not be likely to obscure, or hinder the ready interpretation of any road traffic sign. It would not obscure, or hinder the ready interpretation of any railway signal, or aid navigation by water or air.

Subject to the images being static only, as is proposed, the advertisement would be acceptable with regard to public safety.

The frequency of change of any images is not a matter that can be controlled under the Advertisement Regulations. With respect to road safety, more appropriate controls exist under section 93 of the Road (Scotland) Act 1984 as amended.

The proposal will have an acceptable impact on public safety, in accordance with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

c) Equalities and Human Rights

This application was assessed in terms of potential impacts on human rights and equalities. There were no impacts found.

d) Comments

No representations have been received.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.
2. The intensity of illumination of the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.
3. Advertisements shall be static images only.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

Express Consent under Advert Regulations.

Date registered

19 October 2017

Drawing numbers/Scheme

01-02,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

Appendix 1

Application for Advert Consent 17/04879/ADV At 72 - 74 Niddrie Mains Road, Edinburgh, EH16 4BG Internally illuminated LED digital advertisement hoarding.

Consultations

Roads Authority

No objections to the application subject to the following being included as conditions or informatives as appropriate:

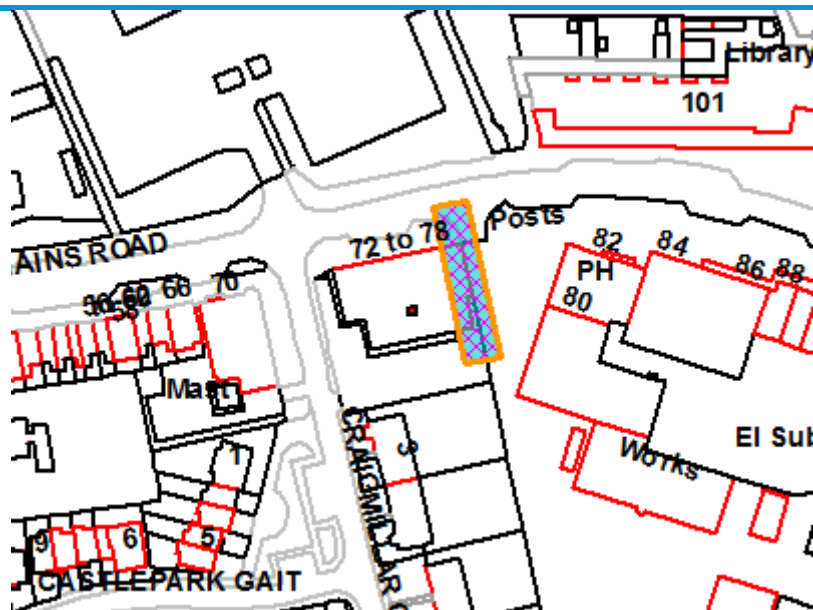
LARGE FORMAT ADVERTISING SIGNS

Note:

1. This location has been assessed as low risk;
2. As outlined in the council's report to planning committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
 - a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;
 - b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;
 - c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
 - d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
3. Adverts must not contain moving images or sequencing of images over more than one advert;
4. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
5. There should be no message sequencing where a message is spread across more than one screen;
6. Phone numbers, web addresses details etc should be avoided;
7. It is recommended that the speed of change of image should be set to be in effect instantaneous;

8. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
9. Adverts should not resemble existing traffic signs or provide directional advice;
10. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
11. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
12. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

Location Plan



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