

Development Management Sub Committee

Wednesday 24 October 2018

**Application for Advert Consent 18/04321/ADV
At Advertising Hoarding 57 Metres Northeast Of 132,
Slateford Road, Edinburgh
Digital LED Displays.**

Item number	4.5
Report number	
Wards	B09 - Fountainbridge/Craiglockhart

Summary

The proposal complies with regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The display of the proposed advertisements is acceptable in terms of amenity and public safety.

Links

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

Report

Application for Advert Consent 18/04321/ADV At Advertising Hoarding 57 Metres Northeast Of 132, Slateford Road, Edinburgh Digital LED Displays.

Recommendations

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

Background

2.1 Site description

The site is a section of embankment located in between the northern side of Slateford Road and the Edinburgh-Carstairs railway line. The site has a total area of 263 square metres and slopes steeply from north to south. Four advertisement hoardings are located adjacent to the northern boundary of the site. The surrounding area is predominantly residential in character, with detached and semi-detached dwellinghouses located directly to the south. The Chesser Asda superstore is located directly to the north and a row of ground floor commercial units located directly to the west.

2.2 Site History

27 June 2017 - Application for advertisement consent for the removal of four advertisement hoardings and their replacement with two 48 sheet internally illuminated digital LED hoardings allowed on appeal by the Directorate for Planning and Environmental Appeals (DPEA) (Appeal Reference: ADA-230-2023). This application was originally refused advertisement consent at the Development Management Sub Committee meeting of Wednesday 19 April. An appeal against the non-determination of this application within the statutory determination timescale was received by the DPEA on the same day (application reference: 17/00465/ADV).

Main report

3.1 Description Of The Proposal

The proposal seeks express advertisement consent for the installation of two internally illuminated LED digital advertisement display hoardings in a triangular configuration adjacent to the southern boundary of the site. The hoardings will each measure six metres in length by three metres in height and will be positioned 2.1 metres above ground level at their highest point.

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 would have an adverse impact on amenity;
- b) The proposal raises any issues in respect of public safety;
- c) Any issues raised by objectors have been addressed, and
- d) The proposal raises any issues in respect of equalities and human rights.

a) Impact on Amenity

Regulation 4 (1) of the Town and Country (Control of Advertisements) (Scotland) Regulations 1984 states that advertisement control shall be exercisable only in the interests of (a) amenity and (b) public safety.

The advertisements are both of a suitable size and will be positioned in an oblique fashion to ensure they do not face directly onto the windows of any nearby residential property. Conditions will be attached to limit the intensity of any illumination to ensure that the visual impact of the advertisements on the surrounding area is suitably minimised.

The proposal will not have a detrimental impact on amenity.

b) Road Safety

The Roads Authority was consulted on the proposal and raised no objection subject to the inclusion of suitable conditions and informatives. A condition will be attached to ensure that any advertisements which are displayed are limited to static images only, with the planning authority able to exercise legislative control to ensure that no animation, video or full motion images are displayed.

The proposal does not raise any issues in respect of public safety.

c) Matters Raised in Representations

Objection Comments

Material Considerations

- Proposal will have an adverse impact on public safety - addressed in section 3.3 (b).

d) Equalities and Human Rights

The proposal has been assessed and raises no issues in respect of equalities and human rights.

Conclusion

The proposal will not have a detrimental impact on amenity, or an adverse impact on public safety; and does not raise any issues in respect of equalities and human rights. The proposal complies with regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The intensity of the illumination of the advertisements consented shall be restricted to 75 candelas per square metres during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.
2. Advertisements displayed shall be static images only, with no animation, video or full motion images permitted.
3. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to safeguard residential amenity.
2. In the interests of road safety.
3. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Informatives

It should be noted that:

1. 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.
2. Phone numbers, web addresses details etc should be avoided.
3. 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.
4. Both screens shall be synchronised to change at the same time with a maximum change rate of one static advertisement every 15 seconds.
5. Advertisements where a message is spread across more than one screen are not permitted.
6. Advertisements resembling existing traffic signs or providing directional advice are not permitted.
7. The change in speed between advertisements shall be instantaneous.

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

One letter of objection was received from Spokes raising the following material considerations. One objection comment was also received from an elected member after the period for comments had expired. A full summary of the matters raised by objectors can be found in section 3 of the main report.

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**

The site is located in the urban area in the adopted Edinburgh Local Development Plan.

Date registered

6 August 2018

Drawing numbers/Scheme

01 - 07,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:**Relevant Non-Statutory Guidelines**

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 18/04321/ADV At Advertising Hoarding 57 Metres Northeast Of 132, Slateford Road, Edinburgh Digital LED Displays.

Consultations

Roads Authority

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

ADVERTISING SIGNS

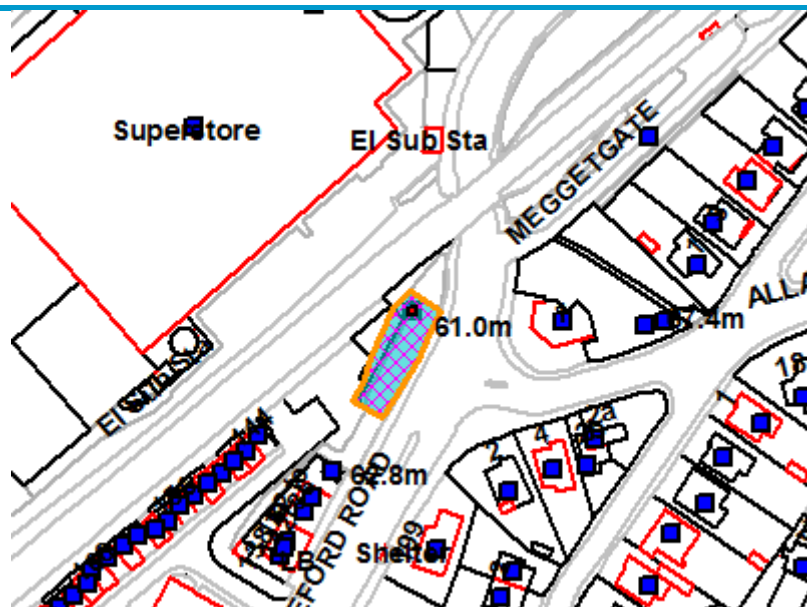
Note:

- 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 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 specifically 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 see below);*
 - 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, for this location, a maximum change rate of one static advert every 15 seconds will be permitted (i.e. 4 adverts per 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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