

Development Management Sub Committee

Wednesday 19 June 2019

**Application for Advert Consent 18/10575/ADV
At Bus Shelter At Junction Of Whitson Grove And Stevenson
Drive, Whitson Grove, Edinburgh
Replacement of non-advertising bus shelter to Foster bus
shelter with double-sided back-lit LED advertising panel.**

Item number	4.7
Report number	
Wards	B07 - Sighthill/Gorgie

Summary

The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and the Council's guidance on Advertisements, Sponsorship and City Dressing and Guidance for Businesses. It will have an acceptable impact on the amenity of the location and will have no adverse impact on public safety. There are no other material considerations which outweigh this conclusion.

Links

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

Report

Application for Advert Consent 18/10575/ADV At Bus Shelter At Junction of Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel.

Recommendations

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

Background

2.1 Site description

The application for advertisement consent relates to an existing bus shelter on Stevenson Drive. The area is predominantly residential in character with three storey tenements to the north west and Saughton Sports Complex to the south east.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of The Proposal

The advertising panel will be double sided and situated on one end of the bus shelter. The advert will comprise an illuminated 6 sheet display that shows a series of messages that are changed every two weeks.

The panel would fit within the dimensions of the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen area will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

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 has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts
- d) public comments have been addressed.

a) Amenity

Council guidance states that advertising on bus shelters will not be permitted in visually sensitive locations. Visually sensitive locations include parts of the Edinburgh World Heritage Site where the streets are of primary historic importance (e.g. Royal Mile or George Street) or where advertising would disturb important views or the setting of individual listed buildings. Sensitive locations can also include residential neighbourhoods. The site is not within the World Heritage Site, a conservation area or near to any listed buildings.

The proposed advertisement panel would read as an integral part of a functional piece of street furniture. It is located around 11.5 metres from the nearest residential property. The advert would be located on a busy road adjacent to Saughton Sports Complex. The illumination would not adversely affect the residential amenity of the surrounding properties.

The advert will not be detrimental to the amenity of the wider area or the adjacent residential properties.

b) Public Safety

The Roads Authority has advised that it has no objections to the proposed display with regard to public safety.

c) Equalities and Human Rights

This application has no impact in terms of equalities and human rights.

d) Public Comments

No comments received.

Conclusion

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

The proposal raises no amenity or public safety concerns and accords with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Informatives

It should be noted that:

1. 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;
2. Adverts must not contain moving images or sequencing of images over more than one advert;
3. 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;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;

6. It is recommended that the speed of change of image should be set to be in effect instantaneous;
7. 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;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. 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;
10. 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;
11. 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.

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

Pre-application discussions took place on this application.

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	Edinburgh Local Development Plan
Date registered	28 December 2018
Drawing numbers/Scheme	01 - 05, Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
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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 18/10575/ADV At Bus Shelter At Junction of Whitson Grove And Stevenson Drive, Whitson Grove, Edinburgh Replacement of non-advertising bus shelter to Foster bus shelter with double-sided back-lit LED advertising panel.

Consultations

Transportation

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

Note:

1. 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;

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3. 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;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;
6. It is recommended that the speed of change of image should be set to be in effect instantaneous;

7. 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;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. 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;
10. 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;
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Location Plan



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