

# Development Management Sub Committee

**Wednesday 28 August 2019**

**Application for Advert Consent 18/10341/ADV**

**At 2B Roseburn Terrace, Edinburgh, EH12 6AW**

**The conversion of two existing large format static panels to digital. Consent was granted for the static panels on 24th November 2014 under application number 14/03219/ADV.**

**Item number**

**Report number**

**Wards**

B06 - Corstorphine/Murrayfield

## Summary

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The advertisement does comply with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 as its scale and height will not have a detrimental impact on the amenity and appearance of the area. The proposal does not raise any road safety issues.

## Links

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[Policies and guidance for this application](#)

NSG, NSADSP, CRPCWC,

# Report

## **Application for Advert Consent 18/10341/ADV**

### **At 2B Roseburn Terrace, Edinburgh, EH12 6AW**

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## **Recommendations**

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

## **Background**

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### **2.1 Site description**

The site comprises a steep grass embankment to the north of Roseburn Terrace, bounded by a rubble stone retaining wall to the back of the footway.

The site is currently occupied by two large format static panels located in the east and west corner of the site. An area of woodland to the north of the site provides a wooded backdrop to the site.

Modern residential flatted properties and convenience store lie opposite the site to the south, with traditional tenemental properties including business uses at ground floor lying to the west and south west. A vehicle access route from Roseburn Terrace to the Roseburn Cycleway crosses the application site to the west.

The category B listed (LB ref: 30287, listed 24/07/1992) former railway bridge crosses Roseburn Terrace to the west of the application site.

This application site is located within the Coltbridge And Wester Coates Conservation Area.

### **2.2 Site History**

23 January 1996 - Advertisement consent granted to provide illumination to existing 2x96 and 4x48-sheet advertisement (application number 95/00507/ADV).

13 February 1996 - Advertisement consent granted to provide illumination to existing advertisement hoarding (as amended) (application number 95/00572/ADV).

13 December 2001 - Advertisement consent refused to replace 2 existing 96s static displays with 2 moving 96s display (3 faces) at Roseburn Terrace opp Roseburn Street (Panels 02 and 04) (application number 01/00302/ADV)

13 May 2002 - Appeal dismissed to replace 2 existing 96s static displays with 2 moving 96s display (3 faces) (appeal reference ADA-230-82).

24 November 2014 - Advertisement consent granted to erect 2 Premiere 400 advertisement displays both with internal low energy LED illumination (static) (as amended) (14/03219/ADV).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal seeks consent for the removal of the single advert located on the east side of the site and to replace the existing advertising screen located on the west side with a digital display. The overall size of the advert measures 6.4 metres wide and 3.5 metres high with the advert area measuring 6.2 metres by 3.1 metres which is the same size as advert area of the existing sign.

The applicant has proposed a limitation to the hours of operation of the digital advert with no advert being displayed between the hours of 11:59PM and 06:00am.

### **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 advertisement will harm the visual amenity of the street, the character of the area in terms of design form, choice of materials and positioning;
- b) the proposal is appropriate in terms of road safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed

#### **a) Amenity**

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

When assessing amenity, Regulation 4 (2) (a) determines the suitability of the use of the site for displaying advertisements in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority may disregard any advertisements being displayed therein.

The Council's Non Statutory guidelines on Advertisements, Sponsorship and City Dressing (February 2010) require advertisements to be carefully controlled in their form, dimensions, location and means of illumination to minimise their impact in the interest of amenity and public safety.

Circular 10/1984 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 makes it clear that whilst a planning authority may wish to adopt or publish guidelines (possibly in a local plan) or design standards for the display of various types of advertisement, failure to conform to such a policy statement or design standard cannot be cited as the sole reason for the refusal of express consent.

### **Impact on Conservation Area**

Relevant extracts from the Coltbridge and Wester Character Appraisal are set out as follows:

*The advertisements boards on the open space on the north side of Roseburn Terrace adjacent to the statutory listed former railway bridge have had a detrimental impact on the streetscape. A careful approach is necessary to the location of functional equipment and large advertisement boards, in order to protect the visual amenity of the conservation area.*

The site was previously occupied by six poster hoardings which was reduced to two under the consent granted in 2014 (application reference 14/03219/ADV). The removal of the display unit to the east will allow this part of the site to return to its natural character and appearance and enhance the setting of the former listed railway bridge. A condition has been added requiring the removal of this display panel prior to the implementation of this consent.

The display unit in the west will remain in its existing position. The proposal to replace the existing illuminated advertising screen with a digital display will not be detrimental to the appearance of the street or the area as a whole. The condition attached restricting the hours the digital advert will be displayed will ensure the visual impact of the advertisement on the surrounding area and residential properties is suitable 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) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

**Material Objections**

- negative impact on the conservation area and setting of the listed building - this is addressed in section 3.3 (a).
- changing displays will distract drivers, pedestrians and cyclist - this is addressed in section 3.3 (b).

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**

**Condition:-**

1. Consent is granted for a period of five years from the date of consent.
2. Advertisements displayed shall be static images only, with no animation, video or full motion images permitted.
3. Prior to the display of advertisements subject to this consent, display panel B identified in drawing reference number 02 shall be removed from the site.

**Reasons:-**

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

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finance and Resources Committee on 5 June 2014.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Sixteen letters of objection were received. A full summary of matters raised by the objectors can be found in section 3.3 (d) of the main report.

## **Background reading/external references**

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- 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 - The site is designated as Urban area, Open Space and Local Nature Conservation Site.

**Date registered**

12 December 2018

**Drawing numbers/Scheme**

01-03,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**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.

The Coltbridge and Wester Coates Conservation Area Character Appraisal emphasises low density form of the area and the predominance of detached and semi-detached villas complemented by the profusion of mature trees, extensive garden settings, and stone boundary walls.

# Appendix 1

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### **Consultations**

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#### **Roads Authority**

*No objections to the application.*

#### **NOTE - ADVERTISING SIGNS**

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;*

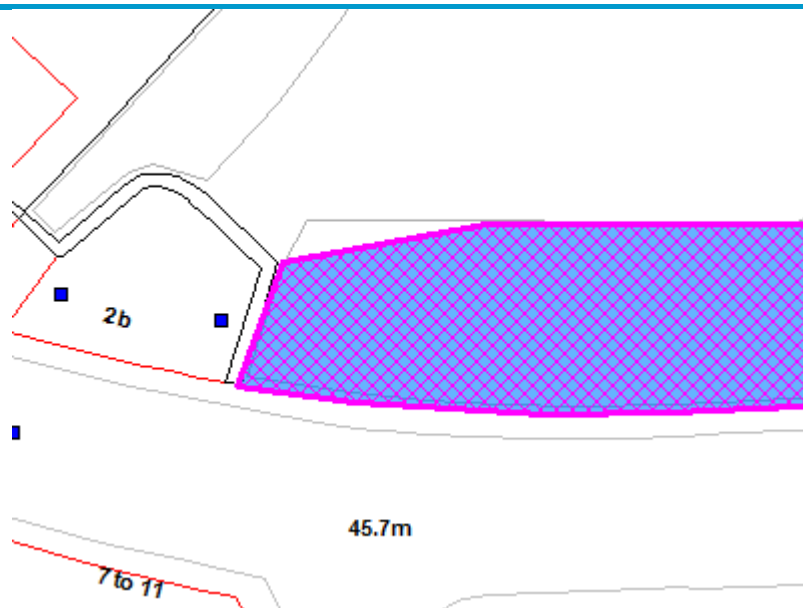
*With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above, for this location, a maximum change rate of one static advert every 10 seconds will be permitted. If either of these conditions is not adhered to it is likely that the Council, 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/m<sup>2</sup>;
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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**END**