

# Development Management Sub Committee

Wednesday 9 October 2019

**Application for Advert Consent 19/04001/ADV  
At Bus Shelters, Duke Street, Edinburgh  
The replacement of a non-advertising bus shelter with a  
Foster bus shelter, including a double-sided back-lit LED  
advertising panel.**

**Item number**

**Report number**

**Wards**

B13 - Leith

## Summary

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The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and non-statutory guidance on Outdoor Advertising and Sponsorship. It will have no impact on the amenity of the location or public safety. There are no other material considerations which outweigh this conclusion.

## Links

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

# Report

## **Application for Advert Consent 19/04001/ADV At Bus Shelters, Duke Street, Edinburgh The replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel.**

### **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 is located centrally on Duke Street, with Tesco superstore to the back of the shelter. The street opposite the shelter is four storey tenements, with commercial uses on the ground floor and residential above. The site sits on the edge of the Leith Links area within Leith Conservation Area.

Bus shelter reference: EDH3319AB.

#### **2.2 Site History**

The Tesco Superstore adjacent to the site has recently been granted advertising consent for pole mounted signage (Ref: 17/06023/ADV) and updated signage and banners (Ref: 18/08407/ADV).

### **Main report**

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

The proposal seeks the replacement of a standard bus shelter with a double-sided LED advertising bus shelter. The advertising panel will be 1160mm x 1710mm on each side, lit with four LED strip lights to provide uniform back light distribution. The visible screen area would be 1.9 square metres.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JC Decaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

### **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; and
- c) any representations received have been addressed.

#### **a) Amenity**

The Council's guidance on Outdoor Advertising and Sponsorship does not allow advertising on items of street furniture other than bus shelters, and advertising on bus shelters would not be permitted in visually sensitive locations. The principle for allowing on street advertising has already been set in this location with the granting of advert consent on the north elevation of the adjacent superstore. This location is not deemed to be visually sensitive and therefore there is no detrimental impact on the amenity of the area.

The proposal seeks to introduce advertising and illumination as an integrated part of a new streamlined bus shelter. Due to the positioning and orientation of the advert, there would be no adverse impact on residential amenity.

The proposals comply with the relevant Council Guidance.

#### **b) Public Safety**

The proposed advert is in line with the Council's Guidance. The advert will not impact on road safety, nor will it present any issues for pedestrians on Duke Street.

The Roads Authority have advised they have no objections in terms of road safety.

#### **c) Material Representations**

No representations were received.

## Conclusion

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

The proposal will not have an impact on amenity or public safety and complies with the Councils Guidance on Outdoor Advertising and Sponsorship.

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.

#### **Reasons:-**

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

## **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 meets 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**

No representations were received.

## **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](#)

<b>Statutory Development Plan Provision</b>	Urban Area.
<b>Date registered</b>	22 August 2019
<b>Drawing numbers/Scheme</b>	01-07,

**David R. Leslie**  
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The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines 'OUTDOOR ADVERTISEMENTS AND SPONSORSHIP'**  
Provides guidance on proposals for advertisements, imposing restrictions on adverts (including digital) 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 19/04001/ADV

### At Bus Shelters, Duke Street, Edinburgh

The replacement of a non-advertising bus shelter with a Foster bus shelter, including a double-sided back-lit LED advertising panel.

## Consultations

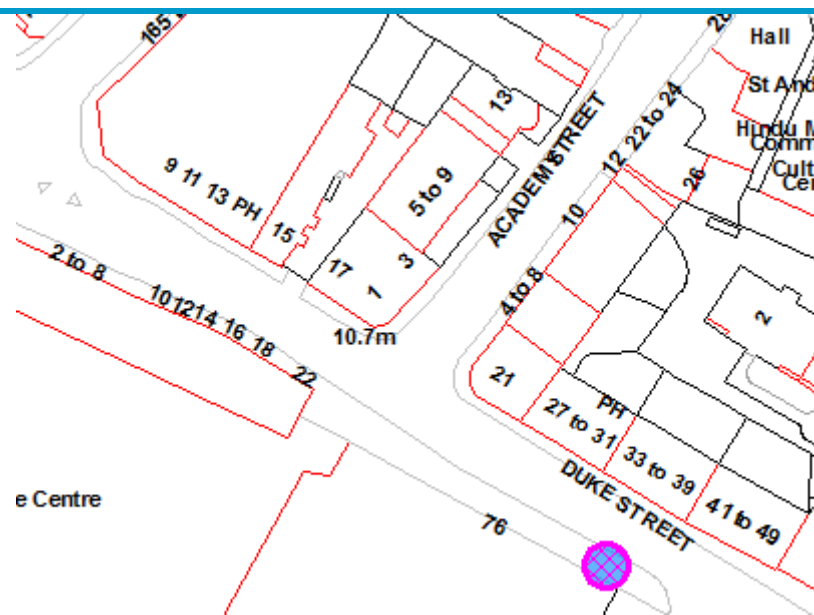
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### Transport

*No Objections.*

## Location Plan

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