

Development Management Sub Committee

Wednesday 3 March 2021

Application for Advert Consent 20/03663/ADV at Advertising Drum, Tolbooth Wynd, Edinburgh. Arts and Culture Advertising Structure.

Item number

Report number

Wards

B13 - Leith

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.

Amenity and public safety will not be compromised by the installation of the advertising drum.

There are no other material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

NSG, NSGOAS, NSGD02, NSBUS,

Report

Application for Advert Consent 20/03663/ADV at Advertising Drum, Tolbooth Wynd, Edinburgh. Arts and Culture Advertising Structure.

Recommendations

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

Background

2.1 Site description

The site is corner of Tolbooth Wynd and Henderson Street on an area of hardstanding forming the public footway.

The surrounding area is mixed use; with predominantly traditional four storey tenements accommodating shops/restaurants and bars at ground floor, with residential flats on the upper floors.

A modern block of three storey residential flats sits immediately to the south.

There are currently two small trees and planters located on the hardstanding.

The site sits opposite Category C Listed four storey tenement buildings to the west and north west, along Henderson Street (Category C Listed 29/4/1977 (Refs: LB27521 and LB27525))

This application site is located within the Leith Conservation Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of the Proposal

This application seeks advertisement consent for the installation of an Arts and Culture Advertising Drum on the area of widened pavement.

The proposed design is a basic cylindrical, essentially an advertising column. The tubular body of the drum is created using a rolled galvanised steel panel, with galvanised steel sheeting wrapped around the concrete base at the foot of the drum. The drum's cylinder body will measure approximately 2.4 metres in height, with a poured concrete base reaching 200mm. The structure and base at its widest part will cover an area of approximately 1.3 metres.

The design incorporates a flat drum copper lid with green roof. This is designed to patinate to a verdigris effect over time and provide ecological benefits by being adorned by a living roof of Ivy.

The proposal is part of a wider initiative through the Arts and Culture sector within Edinburgh to meet current and future advertising needs on a financially accessible basis, whilst at the same time, helping to maintain a cleaner City. The scheme seeks to promote the reduction of fly-posting etc in the City by contracting Clean-Down services within a 30-metre radius of each Arts and Culture Advertising Drum which removes unauthorised advertising such as flyposting, poster/railing boards, cable ties, stickers and graffiti, tagging etc. As such, enhancing the amenity of the area, and improving the public realm, as per the Public Realm Strategy 2009.

A statement in support of the application has been submitted detailing the importance of the Advertising Drum. The statement can be viewed on the Planning and Building Standards Online Services.

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 impact of the proposal on amenity is acceptable;
- b) The proposal would compromise public safety and
- c) Any Public Comments have been addressed.

Regulation 4 (1) of the Town & 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.

Advertisements must be compatible with the Council's Street Design Guidance section within the Edinburgh Design Guidance. The proposal should not increase street clutter, nor result in potential obstructions for those with visual impairments or other disabilities.

Section 2.2 of the Council's Outdoor Advertising and Sponsorship Guidance also refers to various additional documents which support the enhancement of the public realm throughout the city which should be considered. This guidance constitutes a material factor in the assessment of applications for advertisement consent. Section 9 of the Guidance, 'Small Format Outdoor Advertising Displays/ Advertising on Street Furniture' is also applicable.

Furthermore, the Council's non-statutory 'Guidance for Businesses' seeks to ensure that the display of advertisements preserve the character and appearance of the conservation area, being compatible with the Conservation Area Character Appraisal, along with protecting the setting of any nearby listed buildings.

a) Amenity

The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value.

In this instance, the advertisement drum will be erected centrally within the area on the widened footpath, set back from the edge of the footway. Whilst located in proximity to the ground floor residential windows of a three-story flatted block, the proposed drum is located sufficiently away from these windows, as to not to impact upon outlook or amenity of residents.

The proposed drum is set back from the existing young trees that border the kerb line and will not result in street clutter.

The proposed drum will sit comfortably in the backdrop of the neighbouring flats and tenements, and existing street furniture/planting. Its design is acceptable in scale and form, and utilises appropriate materials that will not detract from the character and appearance of the conservation area. The proposal is in keeping with the character appraisal.

The green roof provides an organic, colourful and environmentally friendly element to the streetscape. The applicant has confirmed a gardening/management company will be retained to maintain the roof top of the structure.

The site sits opposite a Category C Listed Buildings situated along Henderson Street, but will have no discernible impact upon their setting.

Overall, the proposal will have no adverse impact on the amenity of the area, and will preserve the character and appearance of the Leith Conservation Area.

b) Public Safety

The corner is located on a busy intersection on the corner of the Tollbooth Wynd and Henderson Street. However, the drum will be located centrally on the pavement, set back from the building line and set back from the edge adjoining the public road.

Its size and positioning ensure it will not impede pedestrian movements, and there is adequate space for pedestrian and wheelchair/pushchair users to pass. The drum is located away from the existing pedestrian crossings/dropped kerbs.

Given its central location within the area of hardstanding, the advert drum will not distract drivers passing or impede driver's line of sight.

The Roads Authority was consulted on the proposal and have raised no concerns with regards to road or pedestrian safety.

c) Public Comments

Seven letters were submitted in support of the proposal.

material considerations

- carefully designed;
- in keeping with the character of area;
- adds colours and enhances character and appearance of area and
- good positioning and locations.

non-material considerations

- tidy and better to maintain than alternatives;
- necessary to help recover and rebuild post Covid 19 and help local arts;
- cost effective and
- reduces fly tipping.

Conclusion

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.

Amenity and public safety will not be compromised by the installation of the advertising drum.

The proposal preserves the appearance and character of the Leith Conservation Area and will have no impact upon the setting of nearby listed buildings.

There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons

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

4.1 The financial impact has been assessed as follows:

The drums project is led by the Council's Culture Service and provides a significant income stream for the Service. The drums also provide a low-cost street advertising medium for the Council's Cultural Grants clients and the city's cultural venues. The financial benefits are not a material consideration in the planning assessment of the proposals.

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 meets 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

Seven letters of support were submitted in relation to the proposal.

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

Date registered 2 September 2020

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

Relevant Policies:

Relevant Non-Statutory Guidelines

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 and adverts on scaffolding should be acceptable.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

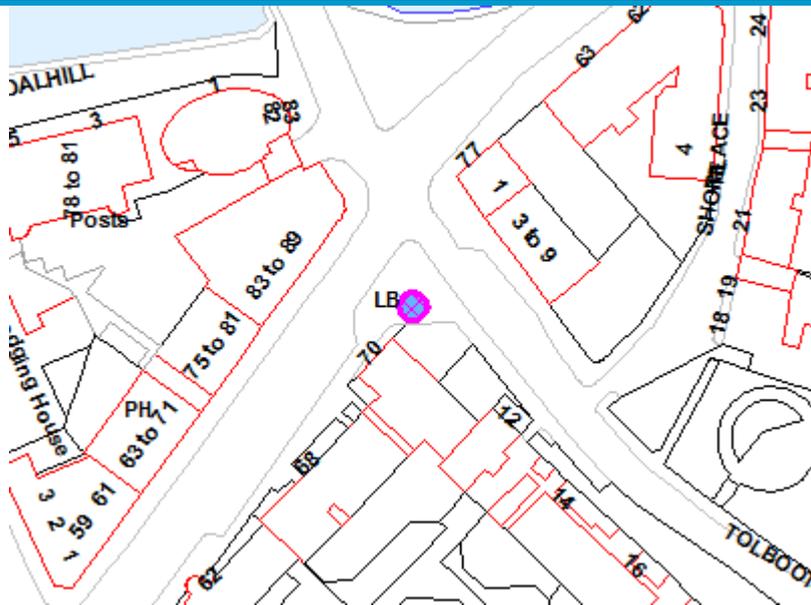
Application for Advert Consent 20/03663/ADV at Advertising Drum, Tolbooth Wynd, Edinburgh. Arts and Culture Advertising Structure.

Consultations

Transport

Transport has no objections on public safety grounds.

Location Plan



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