

Solutions 30.
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BT Headquarters
81 Newgate Street
London
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Decision date: 29 June 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.
At Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie
Edinburgh

Application No: 22/02521/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 11 May 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

1. The proposal does not comply with LDP policy Des 1 Design - Quality and Context as it is likely to have a high impact in visual terms to the detriment of the area.
2. The proposal does not comply with LDP policy Des 5 Development Design - Amenity as it is likely to adversely impact on the amenity of the surrounding area.
3. The proposals are contrary to the non-statutory guidelines on Adverts and Sponsorship as - digital adverts are not supported on street furniture other than on bus shelters in appropriate locations.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Adam Cairns directly at adam.cairns@edinburgh.gov.uk.

A handwritten signature in black ink, appearing to read 'A. Cairns', followed by a long horizontal line extending to the right.

Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission

Proposed Telecoms Apparatus 32 Metres West Of 139, Gorgie Road, Gorgie

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Item – Local Delegated Decision

Application Number – 22/02521/FUL

Ward – B07 - Sighthill/Gorgie

Recommendation

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

Summary

The proposal will have a detrimental impact on the amenity of the location. The proposal does not accord with LDP Design policies Des 1 and Des 5 & the council's Guidance on Advertisements, Sponsorship and City Dressing.

SECTION A – Application Background

Site Description

The application site is located on a paved area along Gorgie Road directly opposite White Park. The area is predominantly residential in nature with commercial premises located in the vicinity. A phone box is currently in situ at this location.

Description Of The Proposal

The application is for the erection of a double-sided digital advertising display unit with rotating content . The advert will be housed within a BT "InLink" unit.

The intensity of the illumination of digital signs will not exceed 600 candelas per square metre between dusk and dawn the signs will not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements). The minimum display time for each advertisement will be 10 seconds. The InLink unit comprises a 2.9m high by 1.23m wide by 0.35m deep structure with an integral telecommunications interface on the side elevation. The main

casing is in cast grey-coloured powder-coated aluminium with black coloured sections around and above the interface and digital display areas.

The key features of the telecommunications interface are as follows:

- free ultrafast Wi-Fi;
- touchscreen tablets to access council services, BT's phone book, maps and directions;
- an accessible design, including hearing induction loops, braille embossed and TalkBack functionality;
- integrated lighting and "privacy wings";
- 100% renewable energy powered.

Supporting Information

The following documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Design and Access Statement; and
- Street Hub Product Statement; and
- Noise Management Plan; and
- ICNIRP; and
- Antisocial Behaviour Management Plan.

Relevant Site History

22/02520/ADV
Proposed Telecoms Apparatus 32 Metres West Of 139
Gorgie Road
Gorgie
Edinburgh

LED digital displays, one on either side of the street hub unit.

Other Relevant Site History

Consultation Engagement

SAUNDERS S

Publicity and Public Engagement

Date of Neighbour Notification: 23 May 2022
Date of Advertisement: Not Applicable
Date of Site Notice: Not Applicable
Number of Contributors: 87

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

c) The proposals comply with the development plan?

The development plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Design policy Des 1 (Design Quality and Context) and Des 5 (Development Design - Amenity)
- LDP Transport policy Tra 9 (Cycle and Footpath Network)

Principle

The Council's Guidance on Advertisements, Sponsorship and City Dressing states that advertisements are, by their nature, designed to create a high impact in visual terms, which may be inappropriate in sensitive environments. Careful control is therefore required to ensure that advertising is not detrimental to the amenity of these locations.

The Guidance states that advertising will not be supported on items of street furniture other than bus shelters and not on those in visually sensitive locations including certain parts of the World Heritage Site where the streets are of primary historic importance or where advertising would disturb important views or the setting of individual listed buildings. The Guidance also states a presumption against freestanding digital advertising unless exceptional circumstances justify otherwise.

Amenity

The double-sided digital advertising panel will stand at 2.98m with a width of 1.23m. Due to its width, height and illuminated digital nature, the advert constitutes an unacceptable intrusion into the streetscape, which would result in advertisement clutter to the detriment of visual amenity.

The proposal would impact upon visual amenity, affecting immediate outlook, contrary to design policy Des 1 and Des 5 of the Edinburgh Local Development Plan.

Transport

Transport has raised no objection to the proposal, an adequate area of footpath will be retained. The proposal does comply with transport policy Tra 9 of the Edinburgh Local Development Plan.

Conclusion in relation to the Development Plan

The proposals do not comply with the relevant policies of the LDP.

c) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal does not comply with Paragraph 29 of SPP.

Emerging policy context

The Draft National Planning Framework 4 is being consulted on at present and has not been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

While City Plan 2030 represents the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

Eighty-seven letters of representation have been received. Eighty-five representations were in objection, one representation was in support and one representation neither objected or supported the proposals.

A summary of the material representations is provided below:

- Impact on visual amenity; assessed in section c) amenity.
- Impact on pedestrian flow; assessed in section c) transport.

Conclusion in relation to identified material considerations

The material considerations identified have been addressed within the sections above.

Overall conclusion

The proposal will have a detrimental impact on the amenity of the location. The proposal does not accord with LDP Design policies Des 1 and Des 5 & the council's Guidance on Advertisements, Sponsorship and City Dressing.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal does not comply with LDP policy Des 1 Design - Quality and Context as it is likely to have a high impact in visual terms to the detriment of the area.
2. The proposal does not comply with LDP policy Des 5 Development Design - Amenity as it is likely to adversely impact on the amenity of the surrounding area.
3. The proposals are contrary to the non-statutory guidelines on Adverts and Sponsorship as - digital adverts are not supported on street furniture other than on bus shelters in appropriate locations.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 11 May 2022

Drawing Numbers/Scheme

01-03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Cairns, Planning Officer
E-mail: adam.cairns@edinburgh.gov.uk

Appendix 1

Consultations

NAME: SAUNDERS S
COMMENT: No objections
DATE: 26 May 2022

The full consultation response can be viewed on the Planning & Building Standards Portal.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mr Shane Kirk

Address: 144/7 Gorgie Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The removal is warranted as these aren't used. If they want to replace them they should make them brand less. As someone who works in Marketing - I realise this is merely a cheap ploy to update their advertisement/brand profile, under the guise of providing nothing of real value to the community.

Comments for Planning Application 22/02521/FUL

Application Summary

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Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Miss Moira MacKirdy

Address: 1/12 Wheatfield Terrace Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: People need access to phones

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Ms Katriona Gillespie

Address: Gorgie Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I live immediately adjacent to the proposed site at 137 Gorgie Road and was not notified of this proposal.

I strongly object as this is a completely inappropriate location for adverts. Garish advertising boards will have a highly negative impact on the amenity of one of our few tranquil green spaces in the area. They are out of keeping with character and amenity of the immediate area, which is a park in a residential area.

As an immediate neighbour, I am also concerned about:

- Noise pollution from open speakers.
- Light pollution from LED advertising.
- Anti-social behaviour, i.e. the use of the speakers at night.
- Pavement obstruction - the new advertising boards will further obstruct the pedestrian footway on a very busy high street and add to street clutter.

Finally, I object in principle to the commercialisation of public space. The existing derelict phone box should be removed by BT without local residents having to concede any amenity to a commercial operator.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mrs Anggi Wulan

Address: 226 Leith Walk Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I will be objecting to this planning application, as I do not believe that space should be given over in a tranquil green space to a large, LED-lit advertising board with speakers and cameras.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mr Dani Wicaksono

Address: 226 Leith Walk Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I will be objecting to this planning application, as I do not believe that space should be given over in a tranquil green space to a large, LED-lit advertising board with speakers and cameras.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mrs Anastasia Rumania

Address: 33 Stewart Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I will be objecting to this planning application, as I do not believe that space should be given over in a tranquil green space to a large, LED-lit advertising board with speakers and cameras.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Miss Giada Gaslini

Address: 6-8 Alexander Drive Edinburgh

Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'd love to object to the following application for the following reasons:

- Negative impact of garish advertising boards on the amenity of a tranquil green space. Out of keeping with character and amenity of the immediate area, which is a park in a residential area.
- Noise pollution from open speakers.
- Light pollution from LED advertising.
- Pavement obstruction - the advertising boards further obstruct the pedestrian footway on a very busy high street and add to street clutter.
- Commercialisation of public space. The existing derelict phone box should be removed without local residents having to concede amenity to a commercial operator.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mrs Yvonne Lyle

Address: 98/2 Whitson Road Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment:Reasons for objection:

- Negative impact of garish advertising boards on the amenity of a tranquil green space. Out of keeping with character and amenity of the immediate area, which is a park in a residential area.
- Noise pollution from open speakers.
- Light pollution from LED advertising.
- Pavement obstruction - the advertising boards further obstruct the pedestrian footway on a very busy high street and add to street clutter.
- Commercialisation of public space. The existing derelict phone box should be removed without local residents having to concede amenity to a commercial operator.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mr Arun Gopinath

Address: 11/6 Slateford Green Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: This has been done without any consultation. This is being located in or next to a busy park that my family including my two children use for their primary exercise. To have a LED signboard with lighting and camera will be an eyesore and an invasion of the privacy of our children. We strongly oppose this application

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mr Kevin McGuire

Address: 3/8 White Park EDINBURGH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This will be unsightly and possibly a noise nuisance in an otherwise relatively tranquil and pretty part of Gorgie.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Ms Juliet Wilson

Address: Flat 10, 8 Orwell Place Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is an inappropriate place to position a LED advertising board. Please do not commercialise this public space.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Miss Caitlin Barrow

Address: 21/14 Stewart Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I whole heartedly reject the proposal of a advertising screen in this public green space. These areas are few and far between in the city and should be kept as peaceful as possible without intrusion from commercial noise and clutter. Apart from the effect on people, the installation is disruptive to what little wildlife exists in the area. BT could advertise on the side of bus stops, buses, buildings etc etc that already exist. It would be a great shame if another commercial company gets to brand a PUBLIC space for its gain.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mr Richard Waugh

Address: 1/6 Moat House, Moat Drive Moat Drive Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I support the removal of the phone boxes but I do not agree with adding the led boxes

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Mr Alan Gray

Address: 25 Myrtle Terrace Edinburgh

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a valuable bit of greenspace vital for health and well-being in a city area. I strongly feel this should not be spoiled with an electronic installation for commercial purposes (or other).

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Org Friends of White Park Friends of White Park

Address: White Park Gorgie Road Edinburgh

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a comment on behalf of volunteer group Friends of White Park (50 members who are local residents). We are a community groups volunteering our time to improve the amenity of our local park on Gorgie Road.

We strongly object to the installation of advertising boards. They will negatively impact the character and amenity of the only green space in our urban community.

It is totally inappropriate to introduce intrusive advertising boards into our public space. We particularly object to features such as LED lighting, loudspeakers and cameras which generate noise and light pollution.

We also strongly object to the imposition of new street clutter on this highly trafficked arterial route and pathway, obstructing pedestrian access beside a very busy bus stop.

We request that this proposal be rejected.

Comments for Planning Application 22/02521/FUL

Application Summary

Application Number: 22/02521/FUL

Address: Proposed Telecoms Apparatus 32 Metres West Of 139 Gorgie Road Gorgie Edinburgh

Proposal: The removal of 2 No. phone kiosks with the installation of 1 No. BT Street Hub unit.

Case Officer: Adam Cairns

Customer Details

Name: Org Gorgie Collective

Address: 232 Dalry Road Edinburgh

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Comment for Gorgie Collective, volunteer-led arts and cultural heritage organisation with over 100 artists and local resident members.

We object to this application as it has a detrimental impact on the character of our area and its cultural heritage. The proposed location is in a park which is a ridiculous site for LED-lit billboards with speakers and cameras.

It will obstruct the pavement and hamper pedestrian and wheelchair access to the park and bus stop.

We totally reject BT's efforts to commercial our green spaces and parks. This proposal should be rejected out of hand.