

Development Management Sub-Committee Report

Wednesday 2 October 2024

**Application for Advert Consent
88 Lothian Road, West End, Edinburgh.**

Proposal: External transparent LED screen.

**Item – Committee Decision
Application Number – 24/03663/ADV
Ward – B11 - City Centre**

Reasons for Referral to Committee

In accordance with the statutory scheme of delegation, the application has been referred for determination by the Development Management Sub-Committee as the Chief Planning Officer considers it to be of significant public interest.

Recommendation

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

Summary

The proposal would have an adverse effect on the visual amenity of the area by virtue of its scale and appearance. The proposal is not in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

SECTION A – Application Background

Site Description

The application site is a 3-storey, 5-bay symmetrical rectangular plan classical church, converted to a cinema complex known as the Edinburgh Filmhouse.

Category B listed, listed 14 December 1970, LB ref. 27100.

The site is located within the West End Conservation Area and on the boundary of the Old and New Towns of Edinburgh World Heritage Site.

Description of the Proposal

The application proposes an outdoor LED screen to the front elevation, supported on metal columns. The screen would measure 9.5m by 5.9m and the metal support structure would measure approximately 12m in height. The supporting documents advise that the screen would be transparent.

Supporting Information

- Supporting document.
- Large format digital roadside planning code.
- Technical literature for transparent screen.

These are available to view on the Planning and Building Standards Online Service.

Relevant Site History

24/03662/LBC
88 Lothian Road
West End
Edinburgh
EH3 9BZ

Internal and external alterations to existing cinema at Filmhouse.

24/02446/LBC
88 Lothian Road
Edinburgh
EH3 9BZ

Internal and external alterations to existing cinema at Filmhouse (Edinburgh).

Refused
19 July 2024

24/02445/ADV
88 Lothian Road
Edinburgh
EH3 9BZ

Externally illuminated banner on a scaffold shroud.

Refused
22 July 2024

23/02699/ADV
88 Lothian Road
Edinburgh
EH3 9BZ

Hoarding.
Granted
8 August 2023

17/02476/LBC
88 Lothian Road
Edinburgh
EH3 9BZ

Fix 8 x permanent eyebolt shield anchors to front elevation at ground floor storey level only.

withdrawn

27 July 2017

13/04223/FUL
88 Lothian Road
Edinburgh
EH3 9BZ

Single storey extension to kitchen/back bar area, plus internal alterations, including new roof mounted ventilation plant and service access.

Granted

22 November 2013

13/04219/LBC
88 Lothian Road
Edinburgh
EH3 9BZ

Single storey extension to kitchen/back bar area, plus internal alterations, including new roof mounted ventilation plant and service access.

Granted

19 November 2013

Other Relevant Site History

03/00575/EADV

Large banner and associated fixings.

Case closed.

8 October 2003

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Transport Planning

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 25

Section B - Assessment

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.

Assessment

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

- a) the proposed display is contrary to the interests of amenity;
- b) the proposed display is contrary to the interest of public safety;
- c) any impacts on equalities and human rights are acceptable;
- d) any comments raised have been addressed.

a) Amenity

The application site is located on Lothian Road, where the general townscape character is made up of tenements with commercial units at ground floor. There are also a number of prominent listed buildings on the street, including the Usher Hall and the application site itself.

The advertisement is of an unacceptable scale and would have a detrimental visual impact on the character of the surrounding area. The signage apparatus would consist of a large metal support structure, centrally positioned, which would obscure the front elevation of the listed building. It would form an obtrusive and incongruous addition, creating an over-dominant addition, to the detriment of the character and appearance of the conservation area and the Edinburgh World Heritage Site immediately to the east.

b) Public Safety

The proposal will not prejudice the safety of pedestrians and/or road users. The proposal does not raise any concerns in respect of public safety.

Transport Planning has been consulted and raised no objections, subject to appropriate conditions and informatives.

c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impacts were identified.

d) Public Comments

A total of twenty-five representations have been received including twenty-three support comments and two objection comments. It should be noted that fourteen of the support comments contain no considerations.

material objections

- The proposals would fail to preserve the character and appearance of the surrounding area; Officer comment - This has been addressed above in section a).

material support comments

- The proposed signage would be in keeping with the surrounding area; Officer comment - The impact on the surrounding area has been addressed above in section a).

non-material support comments

- The proposal would benefit the community.
- The proposal would support the Filmhouse financially.
- The proposal would allow for the continued use of the listed building.

These are not material considerations when assessing an application for Advertisement Consent.

Conclusion

The proposal would have an adverse effect on visual amenity, by virtue of its scale and appearance. The proposal is not in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following:-

Reason for Refusal: -

1. The proposed advertisement is contrary to the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) Part II reg. 4(2) (a) in respect of amenity as it will have a detrimental impact on the character of the surrounding area.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 2 August 2024

Drawing Numbers/Scheme

01-03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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Summary of Consultation Responses

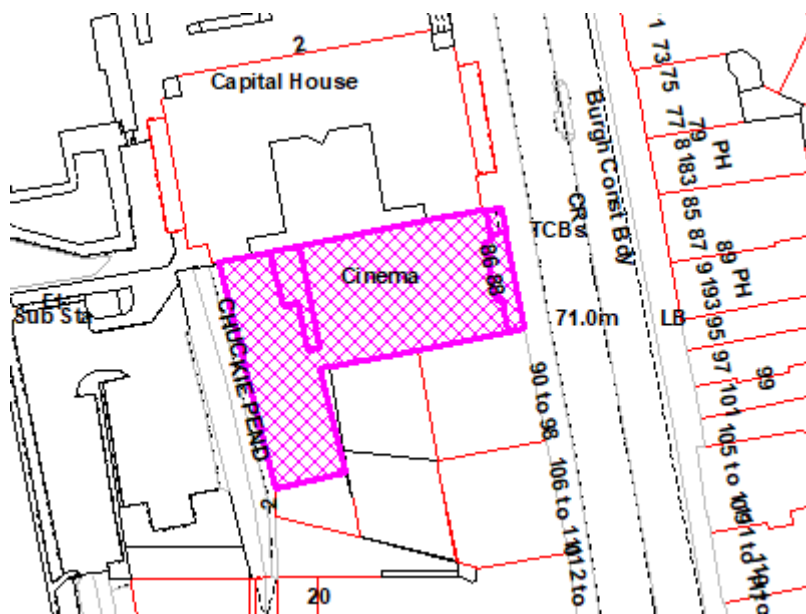
NAME: Transport Planning

COMMENT: No objections subject to appropriate conditions and informatives.

DATE: 16 September 2024

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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