

# Development Management Sub Committee

Wednesday 19 November 2014

**Application for Advert Consent 14/03763/ADV  
At Land 40 Metres South East Of 161, Telford Road,  
Edinburgh  
Display of a scrolling, 48 sheet advertisement display with  
internal low energy LED illumination (static)**

<b>Item number</b>	4.14
<b>Report number</b>	
<b>Wards</b>	A05 - Inverleith

## Summary

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The proposed advertisement display is acceptable in terms of the interests of amenity and public safety and there are no material considerations which outweigh this conclusion.

## Links

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

# Report

## **Application for Advert Consent 14/03763/ADV At Land 40 Metres South East Of 161, Telford Road, Edinburgh Display of a scrolling, 48 sheet advertisement display with internal low energy LED illumination (static)**

### **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 application site comprises a part of the existing pedestrian footway on the eastern side of Telford Road (A902) midway between its junctions with Grigor Drive to the north and the western access road into the Western General Hospital campus to the south; opposite the Telford Gardens junction on the western side.

The pillar is located to the rear of the footway, opposite a central pedestrian refuge within the carriageway and to the north of the lay-by, serving a bus stop with shelter, on the eastern side of Telford Road.

At this location the road is comprised of four carriageways, two in each direction, with a central pedestrian refuge at this location otherwise there is no central division and public footways on each side. The public footway on the eastern side measures 5.3 metres in width at the proposed site location.

To the east of the site, beyond the 1.8 metre high vertical, metal railing fence is the north-western part of the Western General Hospital campus. Immediately to the rear of the site are the Main Boiler and Old Laundry buildings. These comprise a single three-storey height building incorporating the distinctive tall chimney. To the north of the site the boundary is softened by planting along the rear of the fence but to the south the site is open with internal access and car parking areas. On the opposite side of Telford Road there is a separate access road that runs parallel with the main carriageway serving the residential properties that face onto Telford Road. There is a grassed verged with trees planted along its length.

The character and appearance of this part of Telford Road is open with the large utilitarian buildings of the Western General Hospital dominating the eastern side and the short terraces of two-storey dwelling houses on the western side.

#### **2.2 Site History**

The relevant site history is:

11 November 1999 - Express advertisement consent was granted for the display of a cityscape, double sided advertisement located within the footway on the east side of Telford Road, north of the western access into the Western General Hospital campus (reference 99/02766/ADV).

## **Main report**

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

**NOTE:** The Council has agreed to enter into an 'Advertising and Street Furniture' contract with JC Decaux through which all advertising hoardings on Council owned land will be replaced with new advertising displays of various types. The contract would also permit JC Decaux to promote new advertising opportunities on Council owned land and buildings. The proposal described in this report has been submitted in anticipation of that contract being formally entered into by the Council and JC Decaux.

The application is for the display of a single scrolling, 48-sheet sized, internally (static, low energy LED) illuminated advertisement sign to be displayed from a freestanding single pillar with a single, horizontal supporting arm, to be orientated to be viewed by traffic travelling south along Telford Road. The pillar is located to the rear of the footway.

The advertisement display area measures 6.096 metres in length by 3.048 metres in depth and would be comprised of three advertisements that scroll at pre-determined frequencies (not less than 20 seconds apart).

The support pillar measures 5.7 metres high and 0.4 metres in diameter. The support arm measures 6.27 metres from the pillar. Overall the top of the advertisement display would be 6.5 metres and the underside would be 3.3 metres above the ground level.

These advertisements would replace an internally illuminated, double-sided advertisement display located further south, on the eastern side of Telford Road, closer to the western access into the Western General Hospital campus.

The contract with JC Decaux, when concluded, requires the installation of new advertising structures that comply with best practice in terms of environmental sustainability and the Council's own environmental policies e.g. through the use of renewable energy sources, including solar/LED lighting and the minimisation and recycling of water and waste materials.

### **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:

The advertisement display:

- (a) is in keeping with the general characteristics of the locality;
- (b) would compromise public safety;
- (c) would have any equalities or human rights impacts; and
- (d) comments raised have been addressed.

#### a) Interests of Amenity

The proposal is for the display of a single-sided roadside advertising hoarding to be located to the rear of the public footway on the eastern side of Telford Road. The size of the advertisement display would be double that of the existing advertisement displayed to the south of the site and would be set 0.5 metres higher above the adjoining land level. As such they would have a greater visual impact. The display would be single-side only and angled to face the approaching traffic from the north. As such the visual impact would not be significantly greater than that at present.

As this form of advertising is established at this location and given the nature of the area the increase in size would not be unduly noticeable at this position.

In residential amenity terms there would be only a limited increase in visual impact from the proposal. The advertisement display would be located 32.6 metres from the front garden boundary of the neighbouring properties opposite and 39.0 metres from the facade of the properties, at its closest.

From within the public road the sign will be viewed set against the blank elevation of the Main Boiler and Old Laundry buildings within a principal distributor road through the north of the city which is presently well lit; therefore, provided that there is a restriction on the maximum level of illumination there would be no greater detrimental impact on existing amenity.

The guidance contains a general presumption against free-standing adverts within pavements. However, this proposal will result in the removal of an existing hoarding sign within close proximity to the site. It is to be illuminated using low energy LED lighting and of a modern design that will reduce its overall impact on this part of the streetscape and neighbouring properties.

As this form of advertising is established at this location and given the nature of the area, as a relatively open area, the proposed illuminated display would not be unduly noticeable at this position.

Accordingly, the proposals will not have an adverse effect on the existing levels of amenity of the immediately surrounding area.

## b) Interests of Public Safety

Transport has indicated that this location is medium risk with no injury accidents having been reported in recent years. Such an assessment would usually require a full safety audit carried out to be carried out. In this instance the assessment is on the cusp of the medium and low risk categories.

In the assessment the proximity of the advertisement to a junction and to a hospital are both of concern. However, the proposed advertisement is to be located at a greater distance than the existing sign, to the south. As such, in this specific instance, the proposal is considered to raise no concerns on road safety grounds.

They have identified that the internal means of illumination should be controlled. It is agreed that a maximum level of illumination should be set and an appropriate condition is proposed to limit this to not exceed 350 candelas per square metre.

Other matters noted in their response relate to matters associated with digital advertising, that are not relevant in this instance, or seek to control the content of the advertisements to be displayed; these cannot be controlled by the Council under the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

The proposals would raise no public safety issues.

## c) Equalities and Human Rights Impacts

This application has no impact in terms of equalities or human rights.

## d) Public Comments

### **Material Representations: Objections**

- overlooked by and contrary to the residential character of the road with no commercial backdrop - assessed in section 3.3(a) and found that the proposal would not detrimentally impact on the nearest residential properties or the character and appearance of the streetscape at this location.
- contrary to presumption against free-standing adverts on pavements - assessed in section 3.3(a) and found that the proposal would not detrimentally impact on the principles of the guidance given the replacement of an existing hoarding advertisement with the public road in close proximity to the application site.
- existing adverts should not set an example for the approval of further hoardings - assessed in section 3.3(a) and found that each application is required to be assessed on its individual merits set against the provisions of Regulation 4(1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

## CONCLUSIONS

In conclusion, the proposals do not raise any amenity or road safety issues. There are no material considerations which outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

1. Consent is granted for a period of five years from the date of consent.
2. The intensity of illumination of each of the advertisement displays shall not exceed 350 candelas per square metre.

#### **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that the display does not cause distraction to drivers of vehicles along this traffic route, in the interests of road safety.

#### **Informatives**

It should be noted that:

1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

## **Financial impact**

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

The Council has agreed to enter into an 'Advertising and Street Furniture' contract with JC Decaux through which all advertising hoardings on council owned land and street furniture, principally bus shelters, will be replaced with new and improved infrastructure. That contract would also permit JC Decaux to exploit new advertising opportunities on council owned land and buildings.

The proposal described in this report has been submitted in anticipation of that contract formally being entered into and its requirements implemented. As a consequence of this and associated proposals it is expected that there will be an increase in revenue to the Council arising from large format advertising proposals.

## **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.

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## **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**

There is no pre-application process history.

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

Neighbour notification was not undertaken in respect of this application; there is no requirement to do so under the provisions of the Town & Country Planning (Control of Advertising) (Scotland) Regulations 1984. Notice of receipt of the application was however published in the 'weekly list'.

The application attracted one letter of representation objecting to the proposal from, Craigleith/Blackhall Community Council.

#### **Community Council Comments**

Craigleith/Blackhall Community Council objects to the proposal. They commented on the grounds of: overlooked by nearby housing; contrary to residential character of the road; contrary to presumption against free-standing adverts on pavements; will not have a commercial backdrop; and existing adverts should not set an example for the approval of further hoardings. These comments are reproduced in full in the consultations section of the report.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- Finance and Resources Committee 5 June 2014  
Item B1.4 Advertising and Street Furniture – New Contract – report by the Acting Director of Services for Communities

## **Statutory Development**

### **Plan Provision**

This is an application for express advertisement consent to be assessed against the provisions of Regulation 4(1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 only.

### **Date registered**

16 September 2014

### **Drawing numbers/Scheme**

01-05,

Scheme 1

## **David R. Leslie**

Acting Head of Planning and Building Standards

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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.

# Appendix 1

## **Application for Advert Consent 14/03763/ADV At Land 40 Metres South East Of 161, Telford Road, Edinburgh Display of a scrolling, 48 sheet advertisement display with internal low energy LED illumination (static)**

### **Consultations**

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#### **Transport**

*Have no objections to the application.*

*Note:*

- 1. This location has been assessed as medium risk. No injury accidents have been reported;*
- 2. Adverts must not contain moving images or sequencing of images over more than one advert;*
- 3. 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;*
- 4. There should be no message sequencing where a message is spread across more than one screen;*
- 5. Phone numbers, web addresses details etc should be avoided;*
- 6. It is recommended that the rate of change of image should be set to be in effect instantaneous;*
- 7. 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;*
- 8. Adverts should not resemble existing traffic signs or provide directional advice;*
- 9. 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 100-300Cd/m<sup>2</sup>;*
- 10. 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;*
- 11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*

#### **Craigeith/Blackhall Community Council**

*The Community Council objects to the proposal for a large illuminated scrolling hoarding on Telford Road (application 14/03763/ADV) on the following grounds:-*

*It will be located in an area predominantly residential in character, both along the Craigleith/Blackhall and the Drylaw Community Council sides of Telford Road. While there are non residential uses on the road, the largest are in the main community related uses, including the Western General Hospital and the Fire Station, rather than large commercial uses. It is not close to the few small-scale commercial uses on the street. The dominant character of the road, albeit a major road, is residential. The proposal would appear to be contrary to the Council's policy in that it will be adjacent to or overlooked by nearby housing on both sides of the road. In the opinion of the Community Council it would have an unacceptable impact and is therefore inappropriate for the location proposed;*

*It will not be a static sign as it is proposed to be a scrolling display, again contrary to Council policy;*

*The proposal for the pole mounted hoarding will not have a commercial backdrop, and will again be inconsistent with Council policy;*

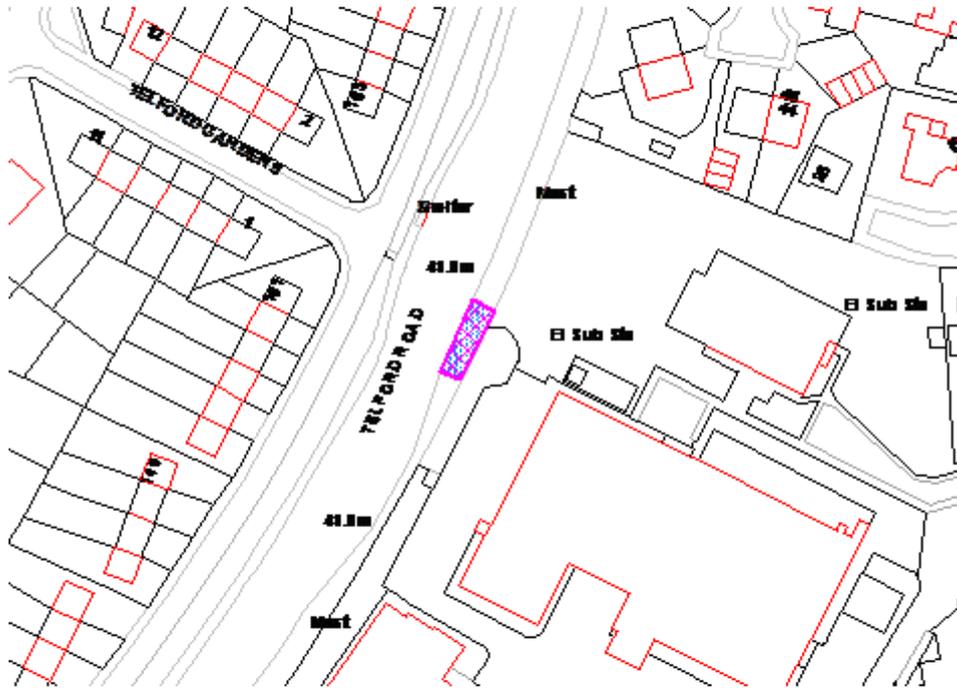
*It appears to be contrary to the general presumption against free standing advertising on pavements.*

*The Community Council is aware of an existing hoarding to the west which pre-dates the establishment of Craigleith/Blackhall Community Council. We are unclear of the justification and reasons for its approval. In the opinion of the Community Council it should not set an example for the approval of further hoardings. A second proposal receiving advertisement control consent would in our opinion set a precedent for a third and subsequent hoardings, inappropriate in what is a residential area, and altering the character of Telford Road.*

*The proposal for the large freestanding illuminated hoarding at 161 Telford Road should not therefore be given advertisement control consent.*

# Location Plan

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