

# Development Management Sub Committee

Wednesday 28 January 2015

## Application for Advert Consent 14/03911/ADV

At Bus Shelter Advertising Panels, South St David Street, Edinburgh.

Free standing double-sided advertising panels at various locations (as amended to exclude George Street locations).

206235 George Street 57m after Frederick Street, EH2 2HT

206240 George Street 72m before Hanover Street, EH2 3BU

206500 South St David Street, after Princes Street, o/s Jenners, EH2 2YJ.

Item number	4.8
Report number	
Wards	A11 - City Centre

## Summary

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The proposal does not raise any amenity or public safety issues.

## Links

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

# Report

## **Application for Advert Consent 14/03911/ADV At Bus Shelter Advertising Panels, South St David Street, Edinburgh.**

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Jenners, EH2 2YJ.**

### **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 includes the bus stop on South St David Street adjacent to Jenners, due south of St Andrews Square.

This application site is located within the New Town Conservation Area and World Heritage Site.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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

**NOTE:** The Council has entered 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 contact 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 accordance with that contract.

In respect of this application, it is proposed to erect a double sided advertising panel to the north side of a proposed bus shelter.

On one side it will have an LED digital display and on the other will be a paper screen. The advertisement panel is approximately 1.34m wide by 0.25m thick by 2.5m high. The visible screen area will be 1.9 sq.m.

The contract with JC Decaux 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; and
- c) would have any equalities or human rights impacts.

#### **(a) Amenity**

The proposal is for roadside advertising on a proposed bus shelter within the city centre. The digital display will be on the north side with the paper display visible from within the shelter. The shelter is positioned on a slope falling from north to south and as a result the display panel will have a limited visual impact on the surrounding area and residential amenity.

The proposal will not have an adverse effect on residential amenity or the amenity of the area.

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

Transport Planning, subject to several informatives relating to the operation and management of the digital display, has no objection to the proposal.

The proposal raises no public safety issues.

### (c) Equalities and Human Rights Impacts

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

### CONCLUSION

No representations have been received.

In conclusion, the proposal does not raise any amenity or public 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**

#### **Conditions:-**

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 applicant shall take account of the following in the consideration of the operation and management of the digital display:

The advertisement panels are on the trailing edge. Panels on the leading end are not normally considered to be acceptable;

Adverts must not contain moving images or sequencing of images over more than one advert;

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;

There should be no message sequencing where a message is spread across more than one screen;

Phone numbers, web addresses details etc should be avoided;

It is recommended that the rate of change of image should be set to be in effect instantaneous;

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;

Adverts should not resemble existing traffic signs or provide directional advice;

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>;

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; and

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.

2. The applicant shall note that in relation to TRAMS:

The proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway;

Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;

Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;

Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;

Any excavation within 3m of any pole supporting overhead lines;

Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use; and

The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.

See our full guidance on how to get permission to work near a tram way at <http://edinburghtrams.com/community/working-around-trams>.

## **Financial impact**

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

The Council has entered 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. The contract also allows JC Decaux to exploit new advertising opportunities on council-owned land and buildings. The proposal described in this report has been submitted in accordance with that contract. 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.

## **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**

No representations received.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

## **Statutory Development**

### **Plan Provision**

The application site is located in the Central Area in the Edinburgh City Local Plan.

It is in the New Town Conservation Area and the World Heritage Site.

### **Date registered**

12 September 2014

### **Drawing numbers/Scheme**

01,

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

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## **Consultations**

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### **Transport Planning**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. The advertisement panels are on the trailing edge. Panels on the leading end are not normally considered to be acceptable;*
- 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.*

*TRAMS - Important Note:*

*The proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:*

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*Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*

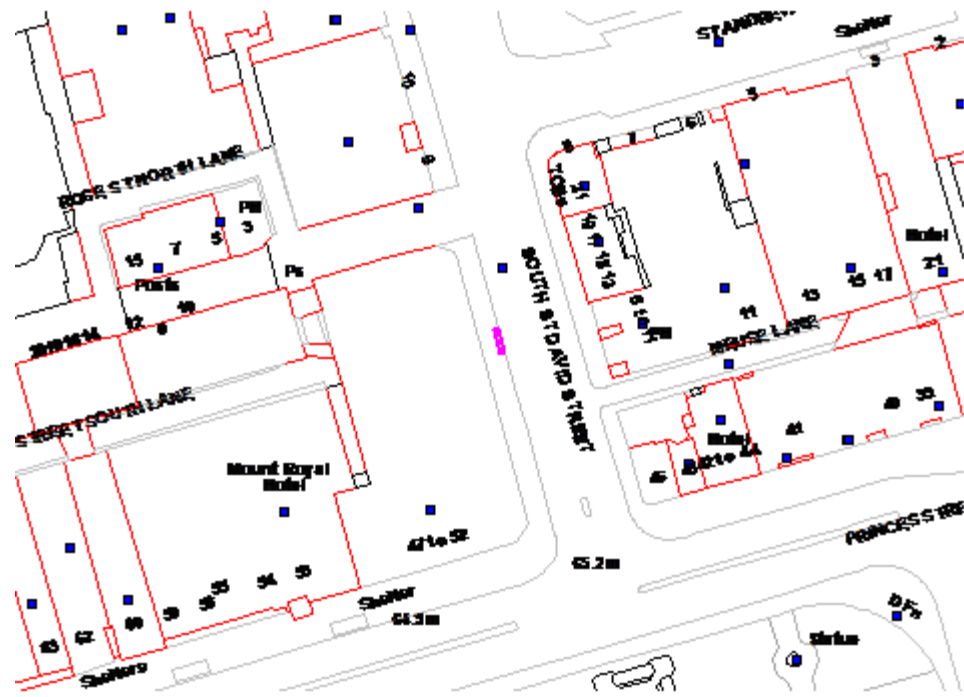
*Any excavation within 3m of any pole supporting overhead lines;*

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*The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way at <http://edinburghtrams.com/community/working-around-trams>*

# Location Plan

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