

Development Management Sub Committee

Wednesday 11 February 2015

Application for Advert Consent 14/03840/ADV

At Bus Shelter Advertising Panels, Princes Street, Edinburgh

Double sided advertising panels adjacent to bus shelters.

206165 Princes Street, after South Charlotte Street, EH2 4AH

206170 Princes Street, 121-123, EH2 4AD

206180 Princes Street, before Castle Street, EH2 2AA

206210 Princes Street, 109 EH2 3AA

206220 Princes Street, 106, EH2 3AA

206225 Princes Street, before Frederick Street, EH2 3AB.

Item number	4.7
Report number	
Wards	A11 - City Centre

Summary

The proposed display complies with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The proposed display is acceptable in terms of the interests of amenity and public safety and there are no material considerations that outweigh this conclusion.

Links

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

Report

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Recommendations

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

Background

2.1 Site description

The application relates to six existing bus shelter locations to the northern side of Princes Street, these situated in the areas of footway between South Charlotte Street and Frederick Street.

The existing advertising comprises double sided static poster displays, and in the majority of cases these are placed to each end of the shelter. A single digital advertisement is currently in-situ at shelter location 206220.

The application sites are adjacent to a continuous built frontage. This contains the following listed buildings which lie within immediate proximity of the individual shelter locations:-

129 Princes Street which is category B listed (LB reference:- 29516 and listed on 20 February 1985).

127 and 128 Princes Street which are category B listed (LB reference:- 29515 and listed on 20 February 1985).

123 Princes Street which is category B listed (LB reference:- 29513 and listed on 20 February 1985).

119, 119A and 120 Princes Street which are category B listed (LB reference:- 43326 and listed on 28 March 1996).

118 Princes Street which is category B listed (LB reference:- 43325 and listed on 28 March 1996).

112 Princes Street which is category B listed (LB reference:- 29512 and listed on 13 April 1965).

109, 110 and 111 Princes Street which are category B listed (LB reference 30147 and listed on 12 December 1974).

106 Princes Street which is category B listed (LB reference:- 43324 and listed on 28 March 1996).

104 and 105 Princes Street which are category B listed (LB reference:- 29511 and listed on 20 February 1985).

99B, 100 and 100A Princes Street which are category B listed (LB reference:- 29510 and listed on 20 February 1985).

The application site lies within the New Town Conservation Area and Edinburgh World Heritage Site.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The six existing bus shelters are due to be renewed at the following locations as part of the Council's new advertising contract with JC Decaux:-

Bus Shelter reference 206165 adjacent to 129-130 Princes Street
Bus Shelter reference 206170 adjacent to 121-123 Princes Street
Bus Shelter reference 206180 adjacent to 118- 119a Princes Street
Bus Shelter reference 206210 adjacent to 109 Princes Street
Bus Shelter reference 206220 adjacent to 106 Princes Street
Bus Shelter reference 206225 adjacent to 101 Princes Street

The proposal would also include the replacement of the existing advertising displays with double sided panels to each shelter. These would feature digital displays to the outer faces of the shelter with static paper displays to the reverse sides facing inward to the shelter.

The display housings, which would be integral to the design of the shelter, would measure 2.48 metres height, 1.33 metres width and 0.24 metres depth, with a visible screen area of 1.9 square metres.

This application relates to Advertisement Consent only, with the shelters being installed through the Council's permitted development rights. However, the applicant has confirmed that panels will be set back from the front of the shelter by 600mm, to incorporate a glazed viewing panel to both the leading and trailing ends of the shelter. This will allow visibility of passing buses and passenger information displays, located externally to the shelter, to be maintained.

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 advert has an acceptable impact on amenity;
- b) Would compromise public safety; and
- c) Would have any equalities or human rights impacts.

a) Amenity

The site comprises a high profile and visually location within the New Town Conservation Area and the Edinburgh World Heritage Site.

Council guidance states that digital advertising with the World Heritage Site will normally only be acceptable as an integral part of a bus shelter design. Bus shelter advertising is well established in the locality, with the adjacent Core Shopping Frontage providing a commercial backdrop to the proposed displays.

The nature of the proposal will see the existing static displays being replaced with digital displays of a comparable size. Whilst the proposal will result in a marginal increase in the overall level of advertising, with an additional double sided panels being added to one of the shelters, the displays will form an integral part of the shelter design, with the structure providing a level of visual containment to the displays.

The shelters are positioned adjacent to the kerb, this arrangement reflecting the linearity of the street. The shelters are subservient elements within the street scene and the proposed advertising displays would not be disruptive to key views or the setting of adjacent listed buildings.

The position and orientation of the displays would not result in detrimental impact to residential amenity.

The proposals would not be detrimental to the amenity of the location and meets with the requirements of Council guidance.

b) Public Safety

The Head of Transport has advised that it has no objections to the proposed display subject to informatives regarding detailed operation of the adverts and working with the Edinburgh Tram Hazard Zone.

They have advised that advertisements on the leading edge of shelters are not normally accepted. However, it has been agreed that this is acceptable on Princes Street as it is not open to general traffic. The panels will also be set back from the front of the shelter by 600m, to incorporate a glazed viewing panel to both the leading and trailing ends of the shelter. This will allow visibility of passing buses and passenger information displays, located externally to the shelter, to be maintained.

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The nature of the proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposal accords with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

Given that the application relates to a new digital format of advertising, it is necessary to limit the intensity of illumination to 75 candelas per square metre in the interests of amenity and ensure that images are static in the interests of public safety.

c) Equalities and Human Rights

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

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 the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.
3. Advertisements shall be static images only.

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 level of illumination is appropriately restricted so as not to be detrimental to the amenity of the area.
3. To safeguard public safety.

Informatives

It should be noted that:

1. The City of Edinburgh Council acting of 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. 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 the screen or a pair of synchronised screens at a time, 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 on the advert 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 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.
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 proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5 metres 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 both Edinburgh Trams and the Council and appropriate authorisation to be obtained from the consenting authorities. 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 Edinburgh Trams Hazard Zone;
- Piling, using a crane, excavating more than 2 metres or erecting and dismantling scaffolding within 4 metres of the Edinburgh Tram Hazard Zone;
- Any excavation within 3 metres of any pole supporting overhead power 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.

Access for Edinburgh trams infrastructure and vehicle maintainers must be in place at all times. See out full guidance on how to get permission to work near a tramway <http://edinburghtrams.com/community/working-around-trams>.

Financial impact

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. As a consequence of this and associated proposals it is expected that there will be an increase in revenue to the Council arising from advertising 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 is not subject to 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

No representations received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

- Edinburgh City Local Plan - Central Area, City Centre Retail Core, Conservation Area, World Heritage Site. Adjacent to Core Shopping Frontage and Tram Route Safeguard.

Date registered

12 September 2014

Drawing numbers/Scheme

01-06 for each shelter location,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Francis Newton, Senior planning officer

E-mail:francis.newton@edinburgh.gov.uk Tel:0131 529 6435

Links - Policies

Relevant Policies:

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.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix 1

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206225 Princes Street, before Frederick Street, EH2 3AB.

Consultations

Transport Planning - Development Control

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

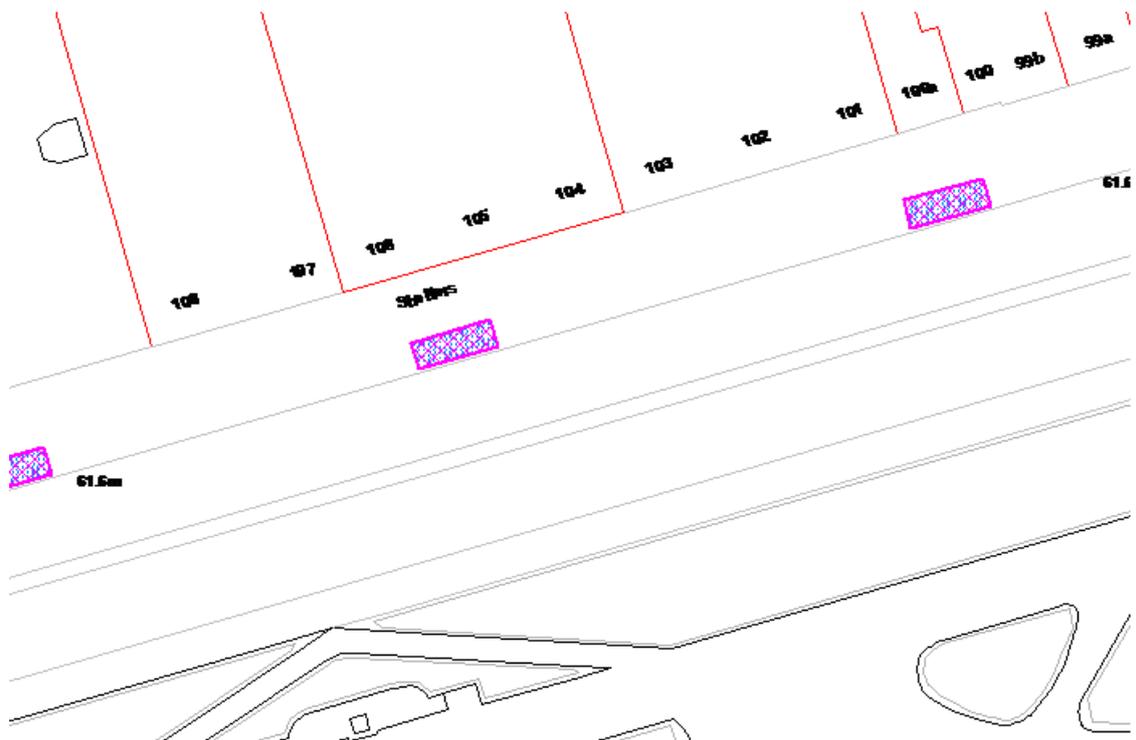
- 1. Advertisement panels on the leading end of shelters are not normally accepted. However, it has been agreed that this is acceptable on Princes Street as it is not open to general traffic;*
- 2. Adverts must not contain moving images or sequencing of images over more than one advert;*
- 3. Drivers 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, 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/m²;*
- 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 both Edinburgh Trams and the Council and appropriate authorisation to work obtained from the consenting authorities. Authorisation is needed for any of the following works either on or near the tramway:

- o 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;*
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*
- o Any excavation within 3m of any pole supporting overhead lines;*
- o 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;*
- o 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.*
- o Access for Edinburgh Trams infrastructure and vehicle maintainers must be in place at all times.*

Location Plan



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