

Development Management Sub Committee

Wednesday 29 April 2015

**Application for Advert Consent 14/05225/ADV
At Proposed Advertising Hoarding 82 Metres North East Of
599, Ferry Road, Edinburgh
internally lit static advertising hoarding**

Item number	5.1
Report number	
Wards	A04 - Forth

Summary

The proposals will not have an unacceptable impact on amenity or public safety. The proposal is acceptable.

Links

<u>Policies and guidance for this application</u>	LPC, NSADSP,
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Report

Application for Advert Consent 14/05225/ADV At Proposed Advertising Hoarding 82 Metres North East Of 599, Ferry Road, Edinburgh internally lit static advertising hoarding

Recommendations

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

Background

2.1 Site description

The application site is on the north side of Ferry Road, adjacent to the bridge for the cycle path, at the junction of Ferry Road and West Granton Access and where there are traffic lights. The area is characterised by low rise residential and four in a block developments and areas of open green space. The application site slopes up an embankment, atop of which runs a cycle path. It is planted with low shrubs. The cycle route is part of an area of designated open space and a local nature conservation site.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application proposes to erect a free standing internally lit static advertising hoarding. The hoarding will be 5.950 metres high and mounted on a single post that will be 2.650 metres high. Including the frame, the size of the advert panel will be 6.270 metres wide x 3.320 metres high. The panel will be internally illuminated with LED lights. The advert will show static adverts without moving images or sequencing of images.

The configuration of the road layout is such that the sign will be almost directly in front of traffic as it approaches the traffic lights.

A Road Safety Audit has been submitted as part of this application. This document is available to view on the Planning and Building Standards Online Services.

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 advertisement will harm the amenity of the area;
- b) the proposal is appropriate in terms of public safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) any public comments raised have been addressed.

a) Amenity

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 (a) amenity and (b) public safety.

When assessing amenity, Regulation 4 (2) (a) determines the suitability of the use of the site for displaying advertisements in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority "may disregard any advertisements being displayed therein."

The surrounding area of the application site is not in a conservation area and has no features of particular historic, architectural or cultural interest. The site is covered with low shrubs that have no special amenity value other than as ground cover. The area above the proposed sign, where the cycle path runs has far greater value as a transport route and open space, and it will not be affected by the proposals.

On this basis, the proposal will not have an adverse impact on the amenity of this area.

b) Public Safety

The proposed hoarding will be static and internally lit. In terms of it being a distraction to motorists and a risk to road safety, the Head of Transport has assessed this site as being medium to high risk. As such an independent road safety audit has been conducted to assess the risk to road safety with the introduction of a hoarding of this type in this location.

This concludes that there is a low risk of driver distraction at this site. It also concludes that at sites where similar signs have been installed that accident rates are low in these locations.

Transport is satisfied that an internally lit static sign will not represent a risk to public safety.

c) Equalities and Human Rights

The application has been assessed in terms of equalities and human rights. No impact was identified.

d) Public Comments

No comments were received.

Conclusion

The proposal complies with the local development plan and non-statutory guidance, will not have an unreasonable impact on amenity or road safety and is acceptable.

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 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 safeguard the amenity of neighbouring residents and other occupiers.
3. To safeguard public safety.

Informatives

It should be noted that:

1. Phone numbers, web addresses details etc should be avoided.

2. Adverts should not resemble existing traffic signs or provide directional advice.
3. 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.
4. 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.
5. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover its costs for undertaking such action and the applicant should note that the display of any moving images (ref note 3 above) is likely to result in immediate action under section 93.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

There have been no letters of representation.

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

The site is located within an area of open space of the Edinburgh City Local Plan. It is adjacent to a route to be safeguarded as a transport route and is within the Local Nature Conservation Site that is formed along the route of the cycle path.

Date registered

17 December 2014

Drawing numbers/Scheme

1-3, 4a,

Scheme 2

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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 14/05225/ADV At Proposed Advertising Hoarding 82 Metres North East Of 599, Ferry Road, Edinburgh internally lit static advertising hoarding

Consultations

Transport

In accordance with our large format advertising safety checklist this location was assessed by my officer as Medium- High risk. As such it was recommended that an independent road safety audit be carried out in accordance with Volume 5, Section 2, Part 2 HD1903 of the Design Manual for Roads and Bridges (DMRB) for this application.

This has now been done (see appendix 1) and the audit made the following conclusion: The Audit Team have no major issues to raise in relation to the proposals for the advertising display as indicated. The Audit Team would however recommend that the display images are static and that no digital display with movement and motion content should be introduced at this location.

Note:

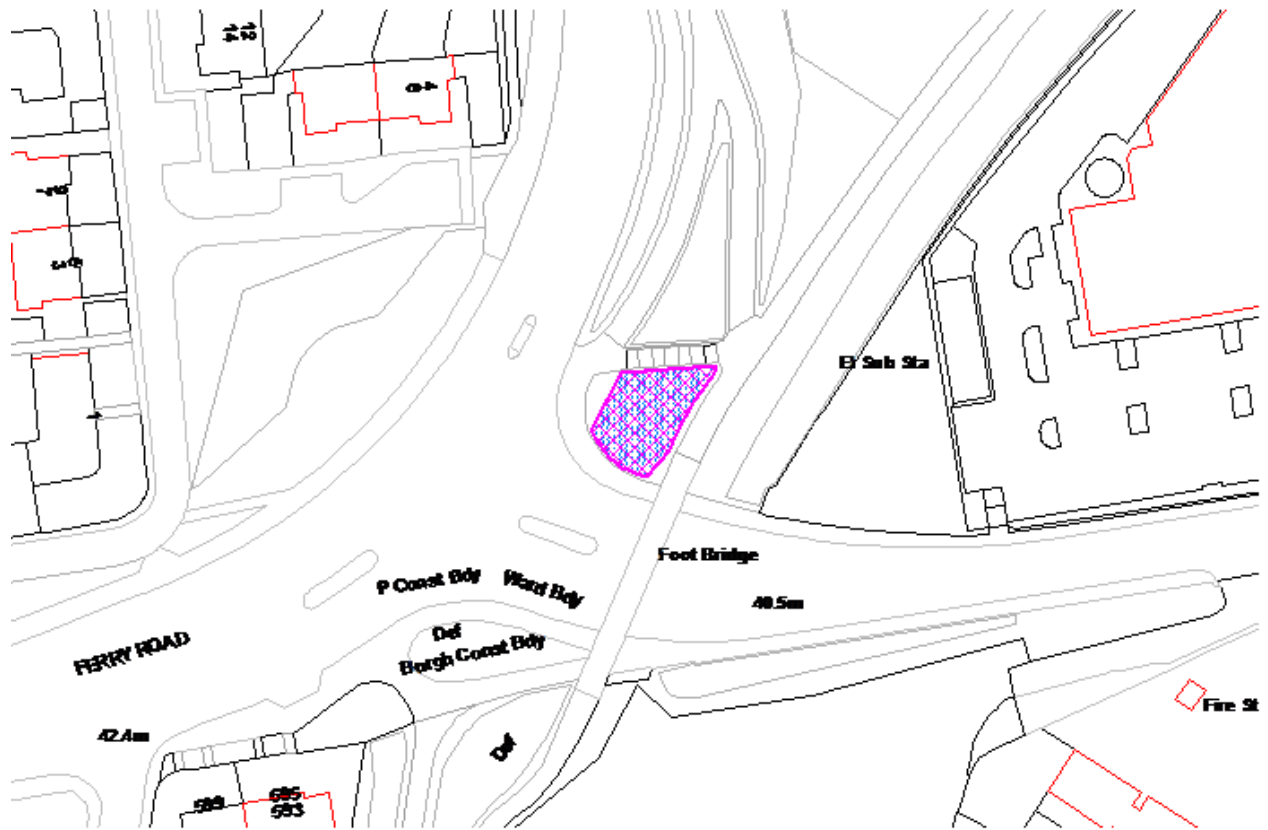
1. 8 no injury collisions have been reported within the signalised junction within the last 5 years. The applicant's transport consultants pre audit report includes (para 3.16) a detailed analysis of the circumstances of each collision, and concludes that all can be discounted as collisions caused by external driver distraction or could be attributed to the installation of the proposed sign.

Whilst there is no obligation on a local roads authority to accept the findings of a Road Safety Audit I can confirm that, in this instance, it is considered that the findings are satisfactory. I can confirm therefore that there are no objections to this application-although, for clarity note that this relates only to a internally lit static sign. I would wish to be re-consulted on any proposal to change the display to a digital one at this location

The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover its costs for undertaking such action and the applicant should note that the display of any moving images (ref note 3 above) is likely to result in immediate action under section 93.

Please note: Appendix 1 is available to view on the Planning and Building Standard's Portal.

Location Plan



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