

Development Management Sub Committee

Wednesday 29 April 2015

**Application for Advert Consent 15/00668/ADV
At Proposed Advertising Hoarding 10 Metres Northwest Of
48, George Street, Edinburgh
Advertisement of the following types : Single freestanding
Forum Structure with Digital 84" screen facing east and back
lit panel facing west**

Item number	5.2
Report number	
Wards	A11 - City Centre

Summary

The proposed freestanding illuminated advert would have an adverse effect upon the interest of amenity and public safety. There are no material considerations which outweigh this conclusion.

Links

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

Report

Application for Advert Consent 15/00668/ADV At Proposed Advertising Hoarding 10 Metres Northwest Of 48, George Street, Edinburgh Advertisement of the following types : Single freestanding Forum Structure with Digital 84" screen facing east and back lit panel facing west

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site is located on the south side of George Street and is an area of footpath located outside TM Lewin and Charles Tyrwhitt. Number 48-52 George Street is Category B listed (Ref 28869) The current footpath measures approximately 4.7 metres wide.

The immediate area is presently traffic free. The footpath is occupied in part by waste bins, telephone kiosks, parking ticket machines, traffic signals and A boards.

The application site lies within the Edinburgh World Heritage Site.

This application site is located within the New Town Conservation Area.

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 freestanding double sided forum display structure on the pavement on the south side of George Street, located 62 metres west of Hanover Street. The structure is positioned 0.6 metres from the edge of the footpath adjacent to the road outside T.M. Lewin and Charles Tyrwhitt. The advertising structure will measure 1.3 metres wide, 2.9 metres high and 0.2 metres in width with the advertising screen area measuring 1.96 square metres. The digital screen will face east with the backlit panel facing west.

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 visual amenity of the street, the character of the area in terms of design form, choice of materials and positioning;
- b) the proposal is appropriate in terms of public safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed.

a) Amenity

Regulation 4(1) of the Town and 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 Council's Non Statutory guidelines on Advertisements, Sponsorship and City Dressing (February 2010) require advertisements to be carefully controlled in their form, dimensions, location and means of illumination to minimise their impact in the interest of amenity and public safety.

Circular 10/1984 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 makes it clear that whilst a planning authority may wish to adopt or publish guidelines (possibly in a local plan) or design standards for the display of various types of advertisement, failure to conform to such a policy statement or design standard cannot be cited as the sole reason for the refusal of express consent.

General characteristics of the locality

The advertisement is located in the New Town conservation area. The general characteristic of the locality is of commercial buildings with a traffic free footpath approximately 4.7 metres wide. This part of George Street is traffic free at present and there is a variety of street furniture on the footpath and roadway.

There are a number of listed buildings in close proximity to the site of the proposed advertisement. These include:

40 and 42 George Street with railings, category C listed (reference 43289, 28 March 1996).

44, 46 and 46a George Street with railings and lamp standards, category B listed (reference 28868, 13 January 1966).

48-52 (even nos) George Street, category B listed (reference 28869, 13 January 1966).

54 George Street and 53A Rose Street, Assembly Rooms and Music Hall, Category A listed (reference 27567, 13 January 1966).

Setting of the Listed Buildings and Conservation Area

The advertisement is located in the New Town Conservation Area. The New Town Conservation Area Character Appraisal identifies the special character as a *planned urban concept of European significance; the New Town has an overriding character of Georgian formality. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves.*

The site is part of an overall grid layout designed around buildings and the public realm. The relationship between the built form, streets and open spaces makes an important contribution to the conservation area's essential character.

The Council's guidance on advertisements, sponsorship and city dressing states that digital advertising will be acceptable in principle in all its forms in defined town centres, other commercial and established advertising locations provided that there will be no adverse impacts on amenity and public safety. However, within the World Heritage Site, digital advertising will normally only be acceptable as an integral part of a bus shelter.

The proposed signage is free standing and is positioned 0.6 metres from the footpath edge, projecting 1.3 metres into the footpath. The display of an illuminated advertisement would introduce an incongruous intrusion into the streetscape and this dominant structure will cause harm to the historic built environment and World Heritage Site. It does not accord with the Council's objective to reduce existing clutter caused by street furniture. The proposed display is not in keeping with the area, will appear out of place and will cause harm to amenity.

The advertisement would harm amenity by impacting adversely on the historic features including the setting of the listed buildings, the New Town Conservation Area and the World Heritage Site.

b) Public Safety

Transport has advised that the local roads management team have, in recent years, completed a number of minor projects in the City Centre to de-clutter the street of unwanted street furniture and this proposal significantly reverses this. The proposed signage will reduce the width of useable space for pedestrians, wheelchair users and mobility scooters. On this basis, Transport objects to the proposals.

c) Equalities and human rights

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

d) Public comments

The material points raised were:

- incompatible with its location - addressed in section 3.3a).
- obstruction to pedestrians and cyclists- addressed in section 3.3b).
- dangerous distraction for vehicles - addressed in section 3.3b).

Conclusion

In conclusion, the proposed freestanding illuminated advert would have an adverse effect upon the interest of amenity and public safety. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

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 the proposed illuminated freestanding display will introduce an incongruous intrusion to this historic streetscap and this dominant structure will cause harm to the historic built environment and World Heritage Site.
2. The proposed advertisement is contrary to the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) Part II reg. 4(2) (b) in respect of public safety as the proposed illuminated freestanding display will reduce the width of useable space on the footpath for pedestrians, wheelchair users and mobility scooters.

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

A total of four objections has been received. These are from Spokes, The Cockburn Association and members of the public. The main grounds of objection are as follows:-

- incompatible with the historic environment;
- distraction for drivers; and
- obstruction to pedestrian and cyclists.

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, Town Centre and New Town Conservation Area.

Date registered

18 February 2015

Drawing numbers/Scheme

01-08,

Scheme 1

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Links - Policies

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.

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.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

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Consultations

Transport Planning

It is recommended that the application is refused.

Reason:

The central area local roads management team have, in the recent years, completed a number of minor projects in the city centre (including Rose Street) to de-clutter the street of unwanted street furniture. This proposal significantly reverses this policy. It is key goals in the Scottish Governments Designing Streets policy document are the Council's emerging street design guidance to de-clutter streets (see appendix).

It is also the case that the signs will reduces the available width of useable space for pedestrians, wheelchair users and mobility scooters.

It should be noted that if the council as Planning Authority is minded to approve this application the installation of these signs will require the issue of permits from the council as Roads Authority.

Location Plan



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