

Development Management Sub Committee

Wednesday 26 August 2015

**Application for Advert Consent 15/01084/ADV
At Proposed Advertising Hoarding 80 Metres Southeast of
143, London Road, Edinburgh
Two new illuminated digital hoarding advertisements.**

Item number	4.2
Report number	
Wards	A14 - Craigentinny/Duddingston

Summary

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

Links

Policies and guidance for this application	LPC, NSADSP,
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Report

Application for Advert Consent 15/01084/ADV At Proposed Advertising Hoarding 80 Metres Southeast of 143, London Road, Edinburgh Two new illuminated digital hoarding advertisements.

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 a triangle of land formed by the north side of London Road and the railway tracks that pass under London Road at this point. It is adjacent to a set of traffic lights that control traffic exiting and entering London Road at Meadowbank Terrace. On the south side of London Road is a terrace of tenements with residential above and commercial at ground floor level. On the north side of London Road, to the east are a pair of modern multi storey brick office blocks and to the west is Meadowbank Stadium.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal is for two new illuminated hoarding adverts to be placed on north side of London Road at the junction of London Road and Meadowbank Terrace. One hoarding will face traffic coming from the east and the other one, traffic from the west.

Each hoarding is proposed to be 6270mm x3330mm, in landscape format, mounted on a steel post that would be installed behind the stone boundary wall adjacent to the pavement. The height from pavement level to the top of the sign will be approximately 5.73m. Finishes are powder coated aluminium and steel. The adverts are a digital image and will be internally illuminated with low energy LED illumination. The applicant has indicated that the adverts will be static.

Supporting Documentation

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 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 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 located between two large modern buildings that have little architectural interest. It is in a transition zone between the office buildings on the north side of London Road and the residential tenements to the south of the road and the commercial character of the area on London Road to the west of the traffic lights. There are a number of similar hoarding adverts in the area and the addition of these hoardings will not be detrimental to the visual amenity of the area and will be in character. The hoardings will be oriented such that they will face the traffic and not the residential properties opposite. A condition is attached to control the illumination levels. The addition of these advertising hoardings will not be detrimental to the amenity of the area.

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 internally lit and will have a static image. 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-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 "given the proximity to signals the level of movement and motion is limited, especially for the west side facing eastbound traffic and that a high degree of animation and constantly changing images could provide a non-contrasting background and as such eastbound drivers may be distracted from seeing the nearside primary traffic signals." A condition is added to limit the advertising to static adverts. As a result of a number of recent appeal decisions, it is not appropriate to add a condition regulating the frequency of the rate of change of the adverts. However an informative is added to draw attention to the fact that Council has powers under the Roads (Scotland) Act 1984 to take any necessary action should the signage be deemed to be a danger to road users. Subject to the compliance with attached conditions Transport do not object and they do not view that the internally lit sign will 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

Comments with respect to the impact on public safety have been addressed in section 3.3.b). Comments made with regard to whether the hoarding is sustainable are not material to the assessment of an application of this type.

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. Advertisements shall be static images only.
3. 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.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To safeguard public safety.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. Adverts must not contain moving images or sequencing of images over more than one advert.
2. 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.
3. There should be no message sequencing where a message is spread across more than one screen.
4. Phone numbers, web addresses details etc should be avoided.
5. It is recommended that the rate of change of image should be set to be in effect instantaneous.
6. 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.
7. Adverts should not resemble existing traffic signs or provide directional advice.
8. 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 75-300Cd/m².
9. 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.
10. 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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

There have been two letters of representation, one from a member of the public and one on behalf of Spokes.

Material Representations –

Material objections relate to:

- a) Traffic and road safety - the proposals will distract drivers to the detriment of road safety.

Non-material Representations –

Non-material comments relate to:

- a) Sustainability - The proposals are environmentally unsustainable. This application does not meet the thresholds for meeting sustainability criteria.

Community Council Comments –

The Community Council has not commented.

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**

Located within the urban area of the Edinburgh City Local Plan.

Date registered

11 March 2015

Drawing numbers/Scheme

1-5,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Barbara Stuart, Senior Planning Officer

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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 15/01084/ADV At Proposed Advertising Hoarding 80 Metres Southeast of 143, London Road, Edinburgh Two new illuminated digital hoarding advertisements.

Consultations

Transport

Response dated 10 April 2015:

I would ask that the application be continued.

Reasons:

The applicant should be asked to submit an independent road safety audit (see note 1) carried out in accordance with Volume 5, Section 2, Part 2 HD1903 of the Design Manual for Roads and Bridges (DMRB). Transport reserves the right to object to the application.

Note:

- 1. This location has been assessed as medium risk. A Stage 1 Road User Safety Audit to be carried out to the satisfaction of the Head of Planning;*
- 2. No injury accidents have been reported within the last 5 years;*
- 3. Adverts must not contain moving images or sequencing of images over more than one advert;*
- 4. 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;*
- 5. There should be no message sequencing where a message is spread across more than one screen;*
- 6. Phone numbers, web addresses details etc should be avoided;*
- 7. It is recommended that the rate of change of image should be set to be in effect instantaneous;*
- 8. 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;*
- 9. Adverts should not resemble existing traffic signs or provide directional advice;*
- 10. 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 75-300Cd/m²;*
- 11. 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;*

12. 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.

Response dated 19 June 2015:

Further to my memorandum of 10 April 2015, I confirm that there are no objections to this application subject to the following being included as conditions or informatives as appropriate:

Note:

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

14. 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;

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

16. Phone numbers, web addresses details etc should be avoided;

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

18. 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;

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

20. 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 75-300Cd/m²;

21. 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;

22. 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.

Note:

In accordance with our large format advertising safety checklist, this location was assessed 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.

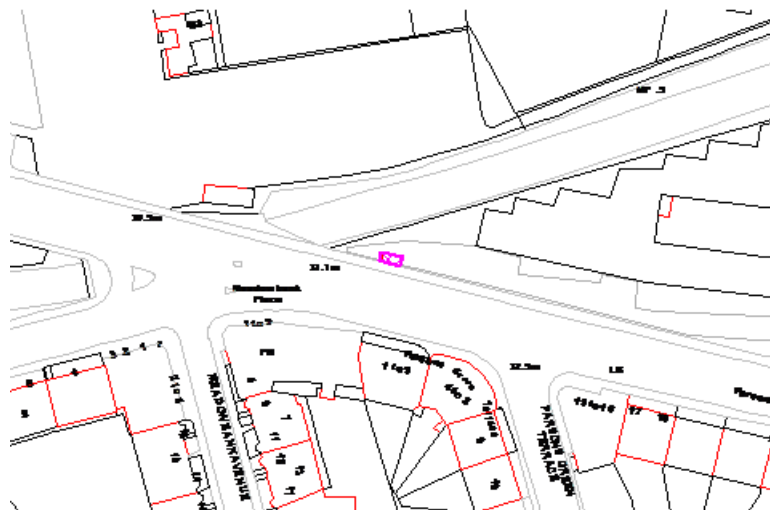
This has now been done and the audit made the following recommendations:

- It is recommend that given the proximity to signals the level of movement and motion is limited, especially for the west side facing eastbound traffic.

- While transitions between adverts and minimal motion within adverts would be acceptable a high degree of animation and constantly changing images could provide a non-contrasting background and as such eastbound drivers may be distracted from seeing the nearside primary traffic signals.

- Therefore the level and content of any future movement and motion provided by a digital display should be agreed with the Council and in line with their policies.

Location Plan



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