

Development Management Sub Committee

Wednesday 13 April 2016

**Application for Advert Consent 16/00607/ADV
At Land 225 Metres Northwest Of Baileyfield S And C Works,
Sir Harry Lauder Road, Edinburgh
Replacement of existing backlit advertisement unit with two
LED advertising units.**

| | |
|----------------------|------------------------------|
| Item number | 4.9 |
| Report number | |
| Wards | A17 - Portobello/Craigmillar |

Summary

The proposal will have an acceptable impact on the amenity of the location and on public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), taking account of the Council's guidance on Advertisements, Sponsorship and City Dressing. A grant of express consent is recommended. There are no material considerations which outweigh this conclusion as advertisement control shall be exercisable only in the interests of amenity and public safety.

Links

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

Report

Application for Advert Consent 16/00607/ADV At Land 225 Metres Northwest Of Baileyfield S And C Works, Sir Harry Lauder Road, Edinburgh Replacement of existing backlit advertisement unit with two LED advertising units.

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 land on the west side of Sir Harry Lauder Road, south of Fishwives' Causeway.

2.2 Site History

25th May 2012 - Express advertisement consent was granted to "convert 1 x 96 static advertising panel with overhead illumination to 1 x 96 internally backlit unit" (reference 12/01373/ADV).

Main report

3.1 Description Of The Proposal

The application is for the erection of two internally illuminated LED 48 sheet digital advertisement hoarding in landscape format. Each advertisement is single sided with one advertisement orientated northwards with the other advertisement orientated southwards, on the western side of Sir Harry Lauder Road.

The proposed hoarding measures 6.1 metres wide by 3.0 metres high and will be located on a plinth 2.8 metres above ground level which gives a total height of 5.8 metres.

It is proposed that the images are static, with a frequency of change of 10 seconds and that there shall be no animation or movement of images.

The proposed signage will replace an existing internally illuminated 96 sheet advertisement.

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 proposal has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

a) Amenity

The site is identified in the Edinburgh City Local Plan and the Second Proposed Local Development Plan (LDP) as being in a Business and Industry Area. These areas have a commercial/industrial character and appearance. It has been suggested that the display of advertisements will adversely affect the amenity of the occupiers of the not-yet-completed houses to the north-east. The housing on Fishwives' Causeway will be at least 75 metres from the proposed advertisements, which will be displayed at such an angle as to be facing almost due north and south-east. At this distance, and given the orientation of the advertisements, there is unlikely to be any harm to residential amenity. The Council has previously granted express advertisement consent for the display of advertisements on this site on the basis that to do so would not adversely affect amenity. The planning context has not changed since the previous grant of express advertisement consent.

The proposal is in accordance with the Council's guidance on Advertisements, Sponsorship and City Dressing.

To ensure the impacts on amenity at night time are acceptable, a condition is recommended to control light levels from the advertisement.

The proposal will have acceptable impact on the amenity of the location, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

b) Public Safety

The location of the proposed advertisements has been assessed as being one where there is a low risk in terms of road safety. No injury accidents have been reported.

Subject to the images being static only, the advertisement would be acceptable with regard to public safety. A condition is recommended in this regard.

The frequency of change of any images is not a matter that can be controlled under the Advertisement Regulations. With respect to road safety, more appropriate controls exist under section 93 of the Roads (Scotland) Act 1984 (as amended).

The proposal will have an acceptable impact on public safety, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

c) Equalities and Human Rights

This application has no impacts on human rights.

d) Representations

Three representations have been received, each in objection to the application.

Material Representations

- Adverse impact on amenity of occupiers of nearby housing. This has been addressed in part 3.3a).
- Adverse impact on road safety. This has been addressed in part 3.3b).

Conclusion

The proposal will have an acceptable impact on the amenity of the location and on public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), taking account of the Council's guidance on Advertisements, Sponsorship and City Dressing.

A grant of express consent is recommended.

There are no material considerations which outweigh this conclusion as advertisement control shall be exercisable only in the interests of amenity and public safety.

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. In order to safeguard the interests of road safety.

Informatives

It should be noted that:

1. Adverts must not contain moving images or sequencing of images over more than one advert.
2. There should be no message sequencing where a message is spread across more than one screen.
3. It is recommended that the rate of change of image should be set to be in effect instantaneous.
4. 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 recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 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

Three representations have been received, all of which were objections.

The letters of representation raised the following issues;

Material Representations

- Road Safety; and
- Adverse impact on amenity.

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 within a Business and Industry Area designated in the Edinburgh City Local Plan.

Date registered

8 February 2016

Drawing numbers/Scheme

01 - 10,

Scheme 1

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Mark Dunlop, Planning Officer
E-mail:mark.dunlop@edinburgh.gov.uk Tel:0131 469 3642

Links - Policies

Relevant Policies:

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

Application for Advert Consent 16/00607/ADV At Land 225 Metres Northwest Of Baileyfield S And C Works, Sir Harry Lauder Road, Edinburgh Replacement of existing backlit advertisement unit with two LED advertising units.

Consultations

Roads Authority Issues

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

LARGE FORMAT ADVERTISING SIGNS (to be used in conjunction with assessment s/s)

Note:

- 1. This location has been assessed as low risk. No injury accidents have been reported;*
- 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 75-300Cd/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 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 recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.*

NB on planning grounds, not all suggested informatives have been added

Location Plan



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