

Development Management Sub Committee

Wednesday 8 June 2016

Application for Advert Consent 16/00509/ADV At Advertising Station 2, London Road, Edinburgh Application for illuminated LED advertisement hoarding

Item number	4.2
Report number	
Wards	A14 - Craigentinny/Duddingston

Summary

The proposal will have an acceptable impact on amenity and public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) and the Council's guidance on Advertisements, Sponsorship and City Dressing. There are no material considerations which outweigh this conclusion.

Links

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

Report

Application for Advert Consent 16/00509/ADV At Advertising Station 2, London Road, Edinburgh Application for illuminated LED advertisement hoarding

Recommendations

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

Background

2.1 Site description

The site lies on the north side of London Road on an open area to the front of the main stand of Meadowbank Sports Centre. The site is presently occupied by an illuminated 7.5 metre by 5 metre (portrait) advertisement hoarding.

2.2 Site History

24 November 2014 - Advertisement consent was granted to erect 1 Premiere 450 advertisement display with internal low energy LED illumination (static) (application number 14/03220/ADV).

Nearby Sites

9 February 1999 - Advertisement consent was granted for the display of an externally-illuminated, double-sided, 48-sheet Ultravision (rotating) hoarding on a site approximately 160 metres to the east of the current application site. This was subsequently amended so that one side should have an internally-illuminated fixed display (98/01621/ADV).

10 November 1999 - Advertisement consent was granted for the display of an internally-illuminated, free-standing, 48-sheet advertisement hoarding on the pavement approximately 60 metres to the east of the current application site (99/02787/ADV).

14 August 2003 - Advertisement consent was refused for the conversion of existing 48-sheet, internally illuminated advertising unit (granted under 98/01621/ADV) to a 48-sheet scrolling unit (03/02026/ADV).

23 December 2003 - Appeal against the refusal of 03/02026/ADV was allowed and consent was granted.

15 May 2012 - Consent granted for two premier 200 display advertisements on the south side of London Road approximately 100m to the south east of the current application site (12/00901/ADV).

2 October 2012 - Consent refused to erect one premiere 450 back-lit portrait display advert sign facing west and located on the south side of London Road approximately 100m to the south east of the current application site (12/02834/ADV).

Main report

3.1 Description of the Proposal

The application is for a replacement advertisement to an existing 450 portrait display measuring 5 metres wide by 7.5 metres high. The existing aluminium and steel structure would be retained in its present form but the display would be LED digital. It is single sided and faces the west bound traffic on London Road.

The proposed advertisement display area measures approximately 5 metres wide by 7.5 metres high. The display is positioned approximately 2 metres from ground level with an overall height of approximately 10.8 metres, and 7.8 metres wide.

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

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 will adversely affect the amenity of the locality;
- b) the proposal will have an adverse impact on public safety;
- c) there will be any impact in terms of equalities or human rights; and
- d) comments raised have been addressed.

(a) Amenity

The proposal is for roadside advertising on a main arterial route into the city centre. The sign will be visually prominent to traffic travelling in a westerly direction, and seen against the backdrop of the main stand of Meadowbank Stadium, which is substantial in scale. The characteristics of this site do not raise any amenity issues and there has been no material change in circumstances since the previous grant of express consent at this location.

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

(b) Public Safety

The location has been assessed as medium - high risk so an independent road safety audit was undertaken. This concluded that the proposed replacement display should not overload a competent driver with information to the extent that would be detrimental to safe driving.

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 or Human Rights

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

(d) Public Comments

No representations have been received.

Conclusion

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

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. In order to safeguard public safety.
3. In order to safeguard the existing amenity of the area.

Informatives:-

It should be noted that:

1. As outlined in the Council's report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
 - a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;
 - b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;
 - c) roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
2. Phone numbers, web addresses details etc should be avoided.
3. It is recommended that the speed of change of image should be set to be in effect instantaneous.
4. 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.

Adverts should not resemble traffic signs or provide directional advice.

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 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:

The Council has a contract with the applicant to provide outdoor advertising within the city. The financial impacts to the Council were reported to the Finance and Resources Committee on 4 June 2015.

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 have been 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**

The site lies within the urban area of the adopted
Edinburgh City Local Plan.

Date registered

3 February 2016

Drawing numbers/Scheme

1,2,

Scheme 1

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer
E-mail: jennifer.zochowska@edinburgh.gov.uk Tel: 0131 529 3793

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.

Appendix 1

Application for Advert Consent 16/00509/ADV At Advertising Station 2, London Road, Edinburgh Application for illuminated LED advertisement hoarding

Consultations

Roads Authority Issues

Initial response dated 22 February 2016

Please continue the application.

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).

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 and Transport;*
2. *3 injury accidents have been reported within the last 5 years;*
3. *As outlined in the council's report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:*
 - a. *there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;*
 - b. *digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;*
 - c. *the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);*
 - d. *Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984;*
With respect to item a. above images, animation, video or full motion images are not permitted and with respect to item b. above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions are not adhered to it is likely that the Council, in its capacity as local roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
4. *Adverts must not contain moving images or sequencing of images over more than one advert;*

5. *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;*
6. *There should be no message sequencing where a message is spread across more than one screen;*
7. *Phone numbers, web addresses details etc should be avoided;*
8. *It is recommended that the speed of change of image should be set to be in effect instantaneous;*
9. *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;*
10. *Adverts should not resemble existing traffic signs or provide directional advice;*
11. *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;*
12. *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;*
13. *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.*

Further comments received 17 May 2016

Further to my memorandum of 22 February 2016, I confirm that there are no objections to this application subject to the following being included as conditions or informatives as appropriate:

1. *As outlined in the Council's report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:*
 - a) *there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;*
 - b) *digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;*
 - c) *the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);*
 - d) *Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.*
With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this

location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;

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 speed 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 seek to 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.*

Note:

- *In accordance with Development Control's large format advertising safety checklist, this location was assessed as Medium-High risk. The resulting independent Road Safety Audit made the following recommendations:*
- *Have no moving images, animations or videos.*
- *Not change more frequently than 10 seconds.*
- *Comply with the Professional Lighting Guide PLG05, The Brightness of Illuminated*
- *Advertisements published by the Institution of Lighting Professionals in 2014.*
- *Comply with schedule 1 of the Town & Country Planning (Control of Advertisements)*
- *(Scotland) Regulations 1984 as amended.*

