

# Development Management Sub Committee

Wednesday 8 June 2016

**Application for Advert Consent 16/01413/ADV  
At Advertising Hoarding 25 Metres South Of 46, Westfield  
Road, Edinburgh  
Advertisement of the following types: Hoarding.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	A07 - Sighthill/Gorgie

## Summary

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The proposed advertisement display complies with Regulations 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The proposed display is acceptable in terms of the interests of amenity and public safety, and does not raise any concerns in respect of road safety. There are no material considerations which outweigh this conclusion.

## Links

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

# Report

## **Application for Advert Consent 16/01413/ADV At Advertising Hoarding 25 Metres South Of 46, Westfield Road, Edinburgh Advertisement of the following types: Hoarding.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site is a section of embankment situated adjacent to the Edinburgh Suburban Railway Line, and located on the southern side of Westfield Road. An existing internally illuminated advertisement display hoarding is located on the site.

#### **2.2 Site History**

20 March 2006 - Advertisement consent granted for a 48 sheet internally illuminated advertising display (application reference:14/05228/ADV).

### **Main report**

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#### **3.1 Description of the Proposal**

The application seeks advertisement consent to upgrade the existing hoarding from the current rear illuminated vinyl poster unit to a digital display showing sequential static images. The display area will measure 6.1 metres in width, 3 metres in height, and 70 centimetres in depth. The base of the advertisement will be situated 90 centimetres above the ground level of the embankment, which is 2.2 metres above street level. Overall, the display will measure 6.6 metres in width, and 4.75 metres in height.

#### **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 have an adverse impact on amenity;
- b) The proposal is acceptable in terms of public safety;
- c) Any impacts on equalities and human rights are acceptable; and
- d) Any public comments raised have been addressed.

#### a) Impact on 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.

The application site is located in an area which is predominantly commercial and industrial in character. The nearest residential properties are situated more than 200 metres to the south west of the application site, and the advertisement will have a negligible impact on amenity.

The applicant has submitted a supporting statement outlining that digital advertisements displayed on the hoarding will be static images, with no animations or moving images. In addition, the supporting statement also highlights that the degree of illumination will be maintained at the current level. It is proposed to attach conditions to this application to restrict any advertisements displayed on the hoarding to static imaging only, and to control the intensity of illumination.

#### b) Impact on Public Safety

The Roads Authority was consulted on the proposal and raised no objections. The proposal does not raise any issues in respect of public safety.

#### c) Equalities and Human Rights

The proposal has been assessed, and raises no issues in respect of equalities and human rights.

#### d) Public Comments

No comments were received in respect of this application.

### Conclusion

In conclusion, the proposal will not have an adverse impact on amenity or public safety. It is recommended that advertisement consent is granted for the proposal subject to appropriate conditions. 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 existing amenity.
3. In order to safeguard public safety.

#### **Informatives:-**

It should be noted that:

1. This location has been assessed as low risk.
2. As outlined in the Council's report to Planning Committee of 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;  
and
  - 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.

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.

3. Phone numbers, web addresses details etc should be avoided.
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.
5. Adverts should not resemble existing traffic signs or provide directional advice.
6. 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 is likely to result in immediate action under Section 93.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

## 8.2 Publicity summary of representations and Community Council comments

No representations were received.

### **Background reading/external references**

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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 designated as being within the urban area in the Edinburgh City Local Plan.

**Date registered**

16 March 2016

**Drawing numbers/Scheme**

01 - 08,

**John Bury**

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

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## Links - Policies

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### 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 16/01413/ADV At Advertising Hoarding 25 Metres South Of 46, Westfield Road, Edinburgh Advertisement of the following types: Hoarding.**

### **Consultations**

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#### **Roads Authority**

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

#### **LARGE FORMAT ADVERTISING SIGNS**

*Note:*

1. *This location has been assessed as low risk;*
2. *As outlined in the Council's report to Planning Committee of 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;*

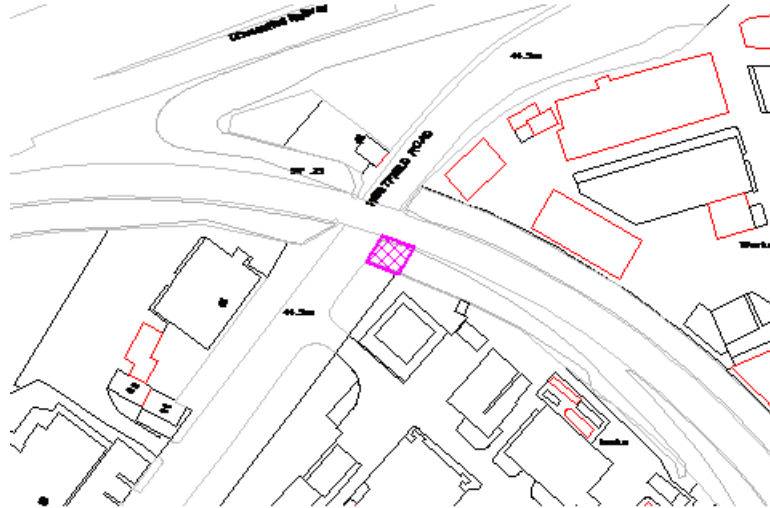
*With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it 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;*

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 speed 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/m<sup>2</sup>;*
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 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.*

# Location Plan

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