

Development Management Sub Committee

Wednesday 12 October 2016

**Application for Advert Consent 16/03718/ADV
At Unit 2, 40A Seafield Road East, Edinburgh
Advertisement of the following types : Hoarding (digital display).**

Item number	4.2
Report number	
Wards	A14 - Craigentinny/Duddingston

Summary

The proposed digital display hoarding has an acceptable impact upon the amenity of the location and on public safety. It 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.

Links

Policies and guidance for this application	NSG, NSADSP,
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Report

Application for Advert Consent 16/03718/ADV At Unit 2, 40A Seafield Road East, Edinburgh Advertisement of the following types : Hoarding (digital display).

Recommendations

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

Background

2.1 Site description

The site lies at the southern end of a motor-cycle training area, and takes in a section of ancillary parking linked to a car-sales premises to the south-east, but all works are physically confined to the former section of the site. The hoarding stands amid various commercial uses between Seafield Road East and a railway line. The predominant use on both sides of the road is car sales. A traditional bill-board lies to the rear of the site towards the south. Bungalows on Wakefield Avenue stand on higher ground beyond the railway line, and view over the site to the Forth estuary.

2.2 Site History

7 January 2015 - an application for express consent for a larger hoarding (rising to 19.3m) was withdrawn (Reference: 14/04668/ADV).

1 May 2015 - express consent granted for large V-format digital hoarding (Reference: 15/00201/ADV).

Main report

3.1 Description Of The Proposal

The application seeks express consent (in retrospect) for a large illuminated (digital) hoarding, erected in variance to the approved drawings (see Site History, 15/00201/ADV). The application seeks to regularise a discrepancy between the siting of the hoarding as approved and as erected.

The location of the hoarding within the site is moved around 5m southward in relation to its previously approved position, such that the southern flank of the hoarding lies on a property division line. The hoarding is also slightly changed in plan form, from a parabolic format (two straight sections set at an angle relative to one another and separated by a central curve), to a simple V-format. The hoarding (6.9m wide x 4.8m deep) rises to just under 9m high, as previously approved. Digital images will remain static.

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 has an acceptable impact on amenity;
- b) the proposal is appropriate in terms of public safety;
- c) any public comments raised have been addressed; and
- d) any impacts on equalities or human rights are acceptable.

a) Amenity

The proposal sits further to the south than the previously approved scheme and is slightly simplified in plan form. It is otherwise unchanged.

The height of the proposed advertising structure remains as last approved and has no further impact upon neighbouring amenity. Distance from and relationship to the housing to the west is unaltered. A condition is added on night-time light levels to further protect residential amenity.

The proposal is visually prominent when driving along Seafield Road East from the south. As approached from the north it is largely screened by advertising banners on neighbouring sites. The area is one of low sensitivity, being dominated by car sales, and has a high degree of existing advertising along its length. The proposal is considered appropriate in this context.

The proposal complies with the Council's non-statutory guidance relating to Advertisements, Sponsorship and City Dressing.

The proposed display will not adversely affect the interests of amenity, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

b) Public Safety

The proposed display will be midway along a long section of straight and wide carriageway. The proposal is unchanged in relation to the previous approval in terms of road safety. The location is considered low risk in terms of road safety.

Subject to the image being static, the advertisement is acceptable with regard to public safety. A condition is added in this regard.

The proposed amendment to siting does not adversely affect the interests of 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 was assessed in terms of equalities and human rights. No impacts were identified.

d) Public Comments

No comments to address.

Conclusion

The proposed display has an acceptable impact upon the amenity of the location and on public safety. It 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 this is a large-format, digital advertising proposal, a Committee decision is required.

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 consist of static images only.
3. The intensity of illumination shall be restricted to 75 candelas per square metre during night time hours, these hours extending from 30 minutes after sunset to 30 minutes before sunrise.

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.

Informatives

It should be noted that:

1.
 - a. Adverts must not contain moving images or sequencing of images over more than one advert;
 - b. 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;
 - c. There should be no message sequencing where a message is spread across more than one screen;
 - d. Phone numbers, web addresses details etc should be avoided;
 - e. It is recommended that the rate of change of image should be set to be in effect instantaneous;
 - f. 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;
 - g. Adverts should not resemble existing traffic signs or provide directional advice;
 - h. Day time levels of luminance should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
 - i. 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

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 as shown in the Edinburgh City Local Plan.

Date registered

29 July 2016

Drawing numbers/Scheme

1-3,

Scheme 1

John Bury

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PLACE
City of Edinburgh Council

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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.

Appendix 1

**Application for Advert Consent 16/03718/ADV
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Consultations

No consultations undertaken.

Location Plan



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