

Development Management Sub Committee

Wednesday 8 November 2017

**Application for Advert Consent 17/03805/ADV
At Bus Shelter, Calder Road, Edinburgh
Erect double sided illuminated unit at one end of bus
shelter**

Item number	4.2
Report number	
Wards	-

Summary

The proposal complies with regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The display of the proposed advertisement is acceptable in terms of amenity and public safety.

Links

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

Report

Application for Advert Consent 17/03805/ADV At Bus Shelter, Calder Road, Edinburgh Erect double sided illuminated unit at one end of bus shelter

Recommendations

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

Background

2.1 Site description

The site is a bus shelter located on the southern side of Calder Road adjacent to the westbound carriageway. The surrounding area has a mixed residential/commercial character which encompasses four in a block residential flats, a petrol station, hotel, and the Napier University Sighthill Campus.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal seeks advertisement consent for the erection of one double side illuminated advertisement at the western end of the bus shelter. The advertisements will measure 1.8 metres in height by 1.3 metres in width and have a total display area of 2 square metres.

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 have a detrimental impact on amenity;
- b) the proposal will have an adverse impact on public safety;
- c) any impacts on equalities and human rights are acceptable; and
- d) any public comments raised have been addressed.

a) Amenity

The application site is located within a mixed commercial/residential area which is already characterised by various high level and billboard style advertisements located on the northern side of Calder Road. There are residential properties situated directly to the south of the site. However, the advert will not be sited so as to face directly onto these properties. Furthermore, conditions will be attached to this consent to limit the level of illumination and restrict any advertisements displayed. Combined with the orientation of the advertisement, this will ensure that the proposal does not impact on the amenity of nearby residents.

The proposal will not have a detrimental impact on amenity.

b) Public Safety

The advertisement does not obscure or hinder the ready interpretation of any road traffic sign or interfere with the sight lines of drivers travelling along Calder Road. The Roads Authority was consulted on the proposal and raised no objection.

The proposal will not have an adverse impact on public safety.

c) Equalities and Human Rights

The proposal has been assessed, and does not raise any issues in respect of equalities and human rights.

d) Public Comments

No comments were received.

Conclusion

The proposal will not have a detrimental impact on amenity, or an adverse impact on public safety; and does not raise any issues in respect of equalities and human rights. The proposal complies with regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

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 amenity.
3. In order to safeguard public safety.

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) 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/m.
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.

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

No representations have been received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

The site is designated as being within an urban area in the adopted Edinburgh Local Development Plan (LDP).

Date registered

15 August 2017

Drawing numbers/Scheme

01 - 03,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: James Allanson, Planning Officer

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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 17/03805/ADV At Bus Shelter, Calder Road, Edinburgh Erect double sided illuminated unit at one end of bus shelter

Consultations

Roads Authority

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

Note:

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:*

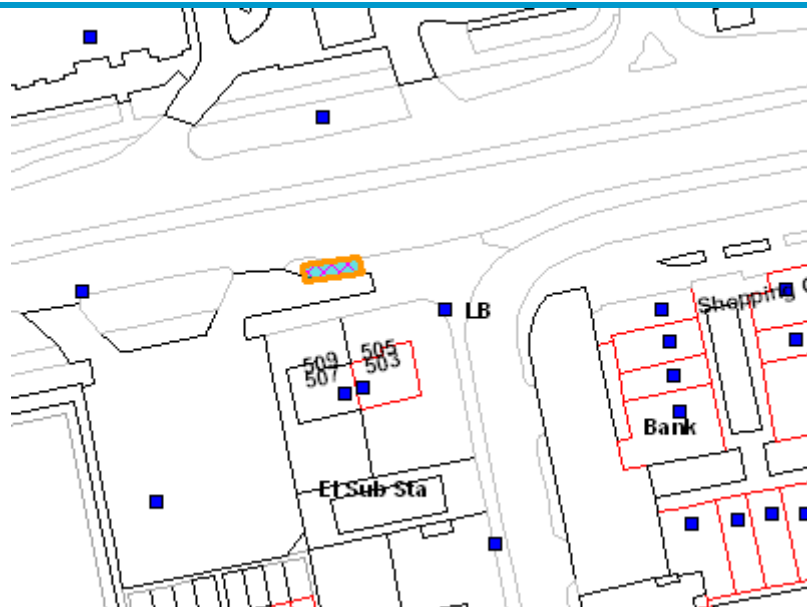
- a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;*
- b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;*
- c) the luminance 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.

Location Plan



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