

Development Management Sub Committee

Wednesday 8 November 2017

**Application for Advert Consent 17/01026/ADV
At 111A Glasgow Road, Edinburgh, EH12 8LU
Replacement of free-standing internally illuminated display
with 1x static digital display**

Item number	4.3
Report number	
Wards	A03 - Drum Brae/Gyle (Pre May 2017)

Summary

The proposed display is acceptable in terms of amenity and public safety. The proposed display complies with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and is acceptable. There are no material considerations that outweigh this conclusion.

Links

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

Report

Application for Advert Consent 17/01026/ADV At 111A Glasgow Road, Edinburgh, EH12 8LU Replacement of free-standing internally illuminated display with 1x static 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 is the Marriot Hotel located on Glasgow Road near the Maybury junction. Directly across the road is a petrol filling station. The area is generally commercial in character with the nearest residential properties located across the road to the east of the site.

There is an existing backlit display sign measuring 2.5 metres by 5 metres located on the grass embankment adjacent to the pavement and close to the vehicular entrance of the hotel.

2.2 Site History

20/05/2010 - Advert consent refused for a pole mounted panel display in non-residential area. Existing Lothian buses driver toilet building to be demolished (10/00860/ADV).

16/09/2010 - Appeal dismissed for the pole mounted panel display in non-residential area (10/00070/REF).

24/06/2010 - Advert consent granted for a pole mounted panel display (10/01609/ADV).

Main report

3.1 Description Of The Proposal

The proposal is to enlarge the existing backlit display which measure 2.5 metres by 5 metres to a digital display measuring 3 metres by 6 metres and sitting 1 metre off ground level. The display will be internally illuminated with static lighting. In terms of the luminance, this is completely controllable. The screen has a brightness control system based on ambient light levels that will vary the luminance output throughout the day and night according to predefined levels.

Supporting Information

The applicant has submitted a Stage 1 Road Safety Audit.

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 proposed display is contrary to the interests of amenity;
- b) the proposed display is contrary to the interest of public safety;
- c) any impacts on equalities and human rights are acceptable; and
- d) any comments raised have been addressed.

a) Amenity

The proposal will replace an existing large format, internally illuminated hoarding which has been present on the site for seven years.

The Council's non-statutory Guidance on Advertisements, Sponsorship, and City Dressing sets out specific requirements for roadside advertisement hoardings. This guidance states that hoardings will not normally be acceptable within conservation areas or where overlooked by residential properties. The site is not within a conservation area.

The impact of an internally illuminated hoarding on the amenity of the area in the position proposed has been tested for around 12 years following the grant of consent in 2010 (application ref: 10/01609/ADV). During this time, no complaints have been received by the Council's Planning Enforcement section. It is therefore reasonable to conclude that an internally illuminated digital hoarding in the location proposed would not have an unacceptable impact on the amenity of nearby residents.

Regulation 4 (1) of the Town and Country (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 proposed signage is a marginal increase in size to the existing signage located on the site. The increase is of an acceptable size, form and finish and will not appear dominant, lead to a cluttered space or have an adverse impact on amenity. The proposed display is not contrary to the interests of amenity.

The proposed hoarding is of a simple design and the materials proposed are acceptable. The hoarding is generally comparable in size and design to the existing hoarding, albeit the proposed panel will be approximately two metres narrower and two metres higher. The majority of the overall hoarding structure will be approximately two metres higher with the exception of the protruding frame on the eastern corner.

The proposal will not have an adverse impact on the existing amenity of the area.

b) Public Safety

The site has been assessed as medium risk. A Road Safety Audit was submitted by the applicant and on the basis of this information the Roads Authority raises no objection to the proposal.

c) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

d) Public Comments

No comments were received.

Conclusion

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

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.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Informatives

It should be noted that:

1. Citywide Networks and Local Area Roads teams have raised no particular safety issues with the proposal;

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; Adverts must not contain moving images or sequencing of images over more than one advert;

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;

There should be no message sequencing where a message is spread across more than one screen;

Phone numbers, web addresses details etc. should be avoided;

It is recommended that the speed of change of image should be set to be in effect instantaneous;

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 existing traffic signs or provide directional advice;

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;

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;

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**

Edinburgh Local Development Plan - Urban Area.

Date registered

8 March 2017

Drawing numbers/Scheme

01-05,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

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 17/01026/ADV At 111A Glasgow Road, Edinburgh, EH12 8LU Replacement of free-standing internally illuminated display with 1x static digital display

Consultations

Roads Authority

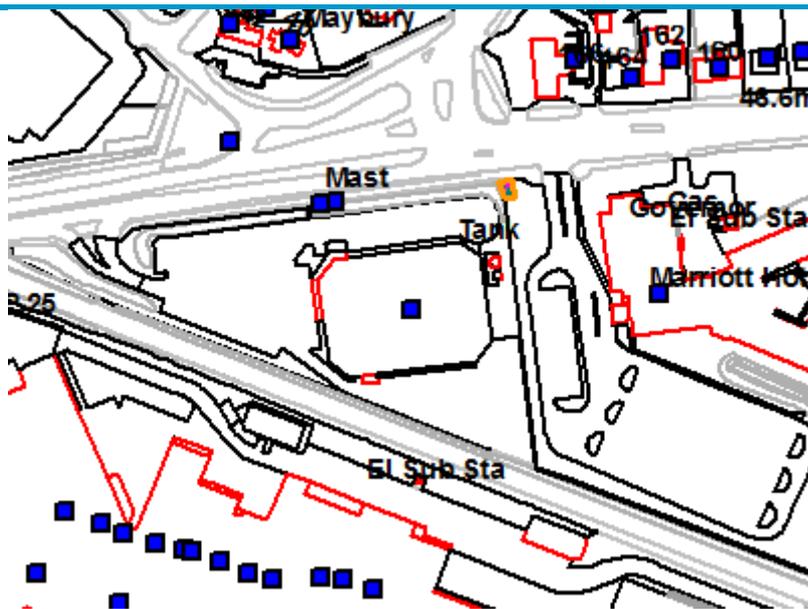
No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. *This location has been assessed as medium risk;*
2. *Citywide Networks and Local Area Roads teams have raised no particular safety issues with the proposal;*
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:*
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 - 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.*

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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 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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