

Development Management Sub Committee

Wednesday 10 January 2018

**Application for Advert Consent 17/05082/ADV
At Castle Terrace Car Park, 38 Castle Terrace, Edinburgh
Erect a non-illuminated, self-standing poster advertising
structure at the car park (west end).**

Item number	7.2
Report number	
Wards	B11 - City Centre

Summary

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal will have an unacceptable detrimental impact on the amenity of the location. The proposal does not accord with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), or the Council's guidance on Advertisements, Sponsorship and City Dressing. Refusal is recommended.

There are no material considerations which outweigh this conclusion.

Links

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

Report

Application for Advert Consent 17/05082/ADV At Castle Terrace Car Park, 38 Castle Terrace, Edinburgh Erect a non-illuminated, self-standing poster advertising structure at the car park (west end).

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site is located within the wide pavement area on the western side of Castle Terrace close to the northern entrance to the Castle Terrace car park.

Directly opposite the site is a large modern office block. Beyond the car park is Edinburgh Castle Rock and Edinburgh Castle which is a Scheduled Monument. Edinburgh Castle also has a number of listed buildings across the complex including a number that are A listed.

The site is located within the World Heritage Site.

This application site is located within the West End Conservation Area.

2.2 Site History

December 2009 - Advertising consent refused for a wave design advertising structure due to the impact on amenity (application reference 09/02716/ADV).

November 2017 - Advertising consent application submitted for the erection of an advertising drum on adjacent site at Castle Terrace (application reference 17/05081/ADV).

Main report

3.1 Description Of The Proposal

Advertisement consent is sought for the erection of an advertising drum for a period of 5 years.

The advert drum is of a circular form and is on a 200mm base with the zone for the advert 2.4 metres high. The overall advert area is 1.37 square metres. The structure has been installed on the site.

The advert drum is part of a programme of advert drums proposed across the city and there is currently a consultation event being run by the applicants on the design of the top of the drum. The finished top to the drums are designed to replicate some structure within the City.

The applicant, City Centre Posters is the successful bidder for the tendering process carried out by the Council to select a Company to install Arts and Culture Advertising Structures throughout the City.

Each application is considered on its own merits.

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 has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

a) Amenity

The West End Conservation Area Character Appraisal identifies that:

"This section is contained within the boundary of the World Heritage Site and is dominated on its eastern edge by the presence of the Castle. The Castle forms a dramatic backcloth overlooking the eastern boundary."

Key focal points are identified within the conservation character appraisal from Cambridge Street across Castle Terrace towards the Castle Rock.

The Outstanding Universal Value of the Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe. Edinburgh Castle provides a key focal point in the linkage between the Old and New Towns.

The introduction of large advertising drum for effectively a permanent period, into this visually sensitive location would damage the unique and special historical character and setting of Edinburgh Castle. The proposal will also result in street clutter which will be uncharacteristic of and detrimental to the special historical setting of Edinburgh Castle, and would result in the interruption of the relationship of this section of the city with the Castle Rock. The height and positioning of the proposed advertising drum will interrupt the dominance of the castle rock within key focal view points as identified within the West End Conservation Area.

The Edinburgh Planning Guidance on Advertisements, Sponsorship and City Dressing advises that proposals for the erection of permanent advertising hoardings will be considered on their individual merits, but will not normally be acceptable within conservation areas or where overlooked by residential properties. This site within the conservation area is considered particularly sensitive due to the relationship to the Castle Rock.

The proposal is therefore contrary to the Council's guidance on Advertisements, Sponsorship and City Dressing by virtue of its location. In addition, the proposal does not support the principles set out within the West End Conservation Area Character Appraisal or The Edinburgh World Heritage Site Management Plan.

The proposal will have an unacceptable impact on the amenity of the location, contrary to Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

b) Public Safety

The proposal raises no concerns regarding public safety.

c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

Material Considerations

- Adverse impact on the amenity of the historic area including the Conservation Area, World Heritage Site and Listed Buildings; addressed in 3.3 a);
- Unacceptable additional clutter; addressed in 3.3 a); and
- Presumption against free standing advertisement structures; addressed in 3.3 a).

Conclusion

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal will have an unacceptable detrimental impact on the amenity of the location. The proposal does not accord with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), or the Council's guidance on Advertisements, Sponsorship and City Dressing.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal will have an unacceptable detrimental impact on the amenity of the location. The proposal does not accord with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), or the Council's guidance on Advertisements, Sponsorship and City Dressing.

Financial impact

4.1 The financial impact has been assessed as follows:

The issues surrounding the advertising drums were reported to full committee on 29 June 2017 as part of the Monitoring Officer's Report (Item 8.6) following the report by the SPSO. Procurement and Legal are currently working to finalise the procurement process for the new project to put in place appropriate contractual arrangements.

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

Two letters of representation have been received. An assessment of the representations can be found in the main report in the Assessment Section.

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 located within the conservation area and World Heritage Site.

Date registered

2 November 2017

Drawing numbers/Scheme

1 and 2,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Elaine Campbell, Team Manager

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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.

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

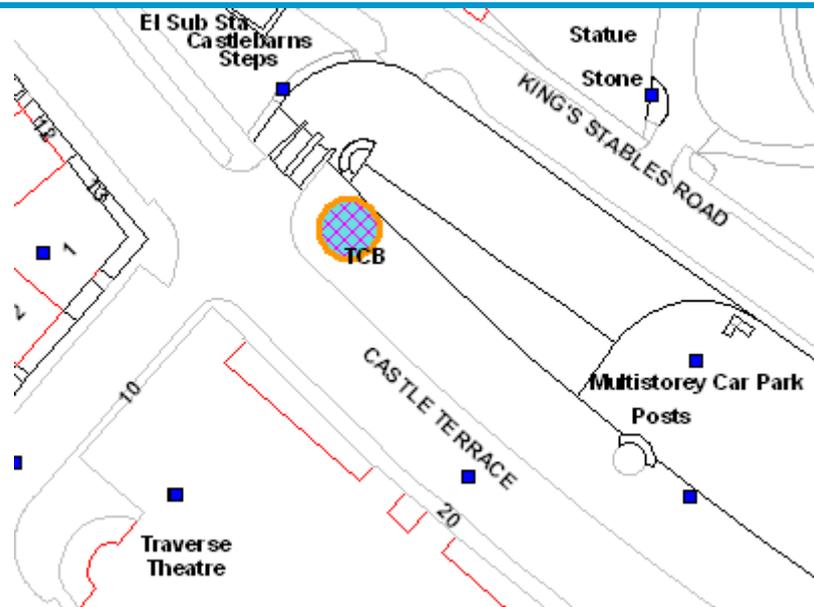
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Consultations

Transport Authority

No objections to the application.

Location Plan



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