

Development Management Sub Committee

Wednesday 24 January 2018

Application for Advert Consent 17/04354/ADV At Land Adjacent To 21, Bonnington Road, Edinburgh Replacement of an existing internally illuminated 48-sheet advertising display with a 48-sheet digital LED display.

Item number	4.1
Report number	
Wards	B13 - Leith

Summary

The proposal does not raise any issues in respect of public safety. However, the proposal would have an adverse impact on amenity due to the close proximity of the proposed digital advertisement to nearby residential properties. The digital advert would also detract from the appearance of the Leith Conservation Area. Therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and it is recommended that express consent for the proposal is refused. There are no material considerations which outweigh this conclusion.

Links

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

Report

Application for Advert Consent 17/04354/ADV At Land Adjacent To 21, Bonnington Road, Edinburgh Replacement of an existing internally illuminated 48-sheet advertising display with a 48-sheet digital LED display.

Recommendations

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

Background

2.1 Site description

The site is a narrow gap site located between two residential tenement buildings and acts as a screen between the road and a private parking and garden area associated with the properties to the south and east.

To the west, directly opposite the proposed adverts site is a small parade of single storey commercial units.

This application site is located within the Leith Conservation Area.

2.2 Site History

26 August 2008 - Express consent granted for conversion of existing externally illuminated 96-sheet paper posted advertisement display unit to one internally illuminated, 48-sheet backlight unit (application reference 08/03139/ADV).

Main report

3.1 Description Of The Proposal

The proposal seeks advertisement consent for the removal of one 48 sheet, internally illuminated hoarding and its replacement with one internally illuminated 48 sheet digital advertisement hoarding in a landscape orientation.

The replacement hoardings will measure 6.9 metres in length by 3.9 metres in height, with a display area of 6 metres x 3 metres, and be positioned 1.7 metres above ground level. The supporting information details that the advertisements are intended to operate at a maximum illumination level of 300 candelas per square metre (cd/m²) during both daytime and nighttime hours.

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 would have an adverse impact on amenity; and
- b) The proposal raises any issues in respect of public safety.

a) Impact on Amenity

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 application site is located in close proximity to residential properties to the north and south of the site, although these do not directly face the site.

Regulation 4 (1) allows the planning authority to disregard any existing advertisements displayed in the locality when determining whether to grant or refuse express consent. The existing advertisements are illuminated internally using fluorescent tubes. The proposed digital advertisements will introduce a much brighter and more visibly intrusive means of advertisement onto the site which would be much more prominent than the existing arrangement, particularly during night time hours. The ability of the digital advert to change colours and brightness at regular intervals could reflect into the bay windows of residential properties at 21 Bonnington Road. The amenity of neighbouring residents will be adversely affected by the close proximity of such intrusive advertisements.

Furthermore, the non-statutory guidance on Advertisements, Sponsorship and City Dressing states that *"..proposals for the erection of permanent advertisement hoardings will be considered on their individual merits, but will not normally be acceptable within conservation areas or where overlooked by residential properties.*

The introduction of a digital advert at this site would not preserve or enhance the appearance of the Leith Conservation Area due to its modern appearance and the intrusive nature of the increased illumination.

The proposal would have an adverse impact on amenity.

b) Public Safety

The proposal does not raise any issues in respect of public safety.

Conclusion

In conclusion, the proposal does not raise any issues in respect of public safety. However, the proposal would have an adverse impact on amenity due to the close proximity of the proposed digital advertisements to nearby residential properties and increased level of illumination. Therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and it is recommended that express consent for the proposal is refused. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal would have an adverse impact on amenity due to the close proximity of the proposed digital advertisement to nearby residential properties and increased level of illumination. The digital advert would also detract from the character and appearance of the Leith Conservation Area. Therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

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**

Urban area.

Date registered

21 September 2017

Drawing numbers/Scheme

01-03,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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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 Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value.

Appendix 1

Application for Advert Consent 17/04354/ADV At Land Adjacent To 21, Bonnington Road, Edinburgh Replacement of an existing internally illuminated 48-sheet advertising display with a 48-sheet digital LED display.

Consultations

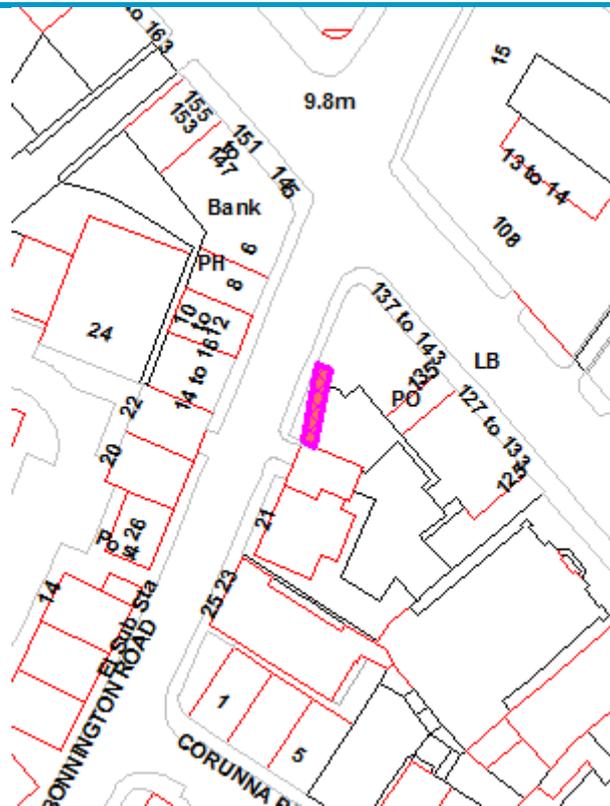
Roads Authority

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

1. This location has been assessed as low risk;
2. 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;
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/m²;
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.
13. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Location Plan



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