

Development Management Sub Committee

Wednesday 24 January 2018

**Application for Advert Consent 17/05504/ADV
At 114A Salamander Street, Edinburgh,
Display of two, 48 sheet, digital advertisement in landscape
orientation with moving images.**

| | |
|----------------------|-------------|
| Item number | 4.9 |
| Report number | |
| Wards | B13 - Leith |

Summary

The proposal does not raise any issues in respect of amenity. However, the proposal would have an adverse impact on public safety would result in increased driver distraction and resultant road safety. 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, NSBUS,

Report

Application for Advert Consent 17/05504/ADV At 114A Salamander Street, Edinburgh, Display of two, 48 sheet, digital advertisement in landscape orientation with moving images.

Recommendations

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

Background

2.1 Site description

The application site is located on the southern side of Salamander Street, in an area characterised by industry and business. At this point Salamander Street is a classified road (A199) and is an area dominated by road traffic movements.

2.2 Site History

19 March 2008 - express advertisement consent was granted for "Conversion of existing advertising site 5 x 48 sheets illuminated to a reduction of 2 x 48 billboards", application reference 08/00406/ADV.

29 October 2013 - express advertisement consent was granted to "Replace two existing illuminated light boxes with two illuminated LED screen advertising units", application reference 13/03945/ADV.

14 May 2014 - express advertisement consent was granted "for the display of two internally illuminated advertisements on supporting plinths - previous application reference nos. 08/00406/ADV and 13/03945/ADV", application reference 14/01144/ADV.

16 March 2016 - express advertisement consent was granted "for the display of two digital adverts in landscape orientation", application reference 16/00243/ADV.

Enforcement History

24 July 2014 - Alleged breach of condition in relation to illumination - found to be operating in excess of limits in condition. Following discussion and reduction in luminance levels compliance with condition achieved. Operator confirmed that measures are in place to control the brightness in the future. Enforcement reference 14/00460/EADV.

24 June 2016 - Non-compliance with conditions added to the grant of advertisement consent 14/01144/ADV for the display of a digital advert. Condition 4 of the grant of advertisement consent stated; '*The frequency of the change in the advertisement display shall be no greater than every 15 seconds.* Was found that the adverts were changing on average every 8-10 seconds at the site and failed to comply with the required condition. Enforcement reference 15/00326/EADV.

28 February 2017 - Non-compliance with condition 3 attached to the grant of advertisement consent 16/00243/ADV for the display of a digital advert. Advertisements being displayed showing moving images. Correspondence with the operator has confirmed that the advert was removed and now only displays static images. Enforcement reference 17/00100/ENCOMP.

Main report

3.1 Description Of The Proposal

The application proposes the display of two digital advertisement hoardings, one facing east and the other facing west in the site. The display area of the advertisements would measure 6 metres wide x 3 metres high with a larger supporting structure. It is proposed that the advertisements would have a degree of movement and animation across a generally static background.

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 an area which is characterised by business premises and road traffic. The area is largely industrial, and there are a number of large scale advertisements located on neighbouring warehouse premises.

The proposal would not have an adverse impact on amenity.

b) Public Safety

The proposed digital advertisement, particularly the inclusion of motion within the display would affect the driver's ability to maintain a consistent lane position and could lead to collisions with adjacent vehicles. Travelling west, the road narrows at the site of the advert and there are a number of access roads and car parks in the immediate vicinity of the proposed site. Although the applicant states that they proposes only a small degree of animation on the advert, the levels of animation and area covered could not be conditioned as this would differ between each advert. This application must therefore be treated as for the inclusion of fully moving images.

For the above reasons, the advertisement would not be acceptable with regard to road and public safety.

The proposal will not have an acceptable impact on public safety, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

Conclusion

The proposal does not raise any issues in respect of amenity. However, the proposal would have an adverse impact on public safety would result in increased driver distraction and resultant road safety. 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 public safety as a result of increased driver distraction and a resultant reduction in road safety. 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 as defined in the Edinburgh Local Development Plan and part of the Edinburgh Waterfront: East of Salamander Place (EW 1c).

Date registered

24 November 2017

Drawing numbers/Scheme

01, 02,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer

E-mail: rachel.webster@edinburgh.gov.uk Tel: 0131 529 3442

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.

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

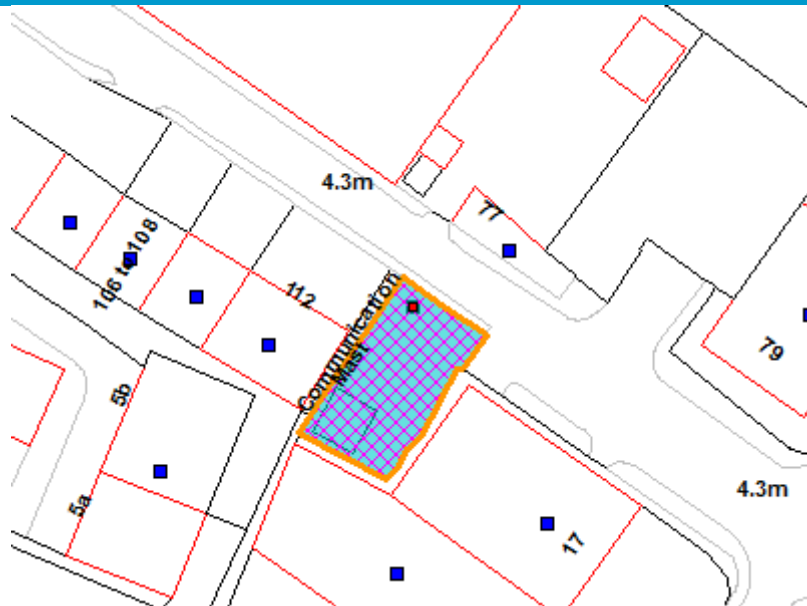
**Application for Advert Consent 17/05504/ADV
At 114A Salamander Street, Edinburgh,
Display of two, 48 sheet, digital advertisement in landscape
orientation with moving images.**

Consultations

Roads Authority

The proposed development is considered to constitute a danger to road users due to the moving images.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END