

# Development Management Sub Committee

Wednesday 25 April 2018

**Application for Advert Consent 17/05445/ADV  
At 1 Bus Shelters, Leith Street, Edinburgh  
Foster bus shelter unit incorporating illuminated double  
digital display double sided advertising screen.**

<b>Item number</b>	4.13
<b>Report number</b>	
<b>Wards</b>	B11 - City Centre

## Summary

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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 would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	NSG, NSADSP, NSGD02, NSGSTR, CRPNEW, CRPWHS,
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# Report

## **Application for Advert Consent 17/05445/ADV At 1 Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site relates to a new bus shelter located on the west side of Leith Street. The site is directly opposite the former King James Hotel which now forms the new Edinburgh St James redevelopment, currently under construction.

Leith Street is a busy principal thoroughfare to and from Princes Street and contains a mix of uses including retail, office and leisure.

The application site lies within the Edinburgh World Heritage Site.

This application site is located within the New Town Conservation Area.

#### **2.2 Site History**

Three other applications for advertisement consent are pending decision for digital advertisements along Leith Street (application numbers 17/05443/ADV, 17/05444/ADV, 17/05303/ADV).

### **Main report**

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#### **3.1 Description Of The Proposal**

The advertising panel will be double sided and situated on the trailing end of a bus shelter, facing north and south along Leith Street. Both sides of the panel will contain a digital LED display with moving images.

The panel will be designed to fit the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen areas will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JCDecaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

### **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.

#### **a) Amenity**

#### **Principle**

The Council's Guidance on Advertisements, Sponsorship and City Dressing states that advertisements are, by their nature, designed to create a high impact in visual terms, which may be inappropriate in sensitive environments. Careful control is therefore required to ensure that advertising is not detrimental to the amenity of these locations.

The Guidance states that advertising on bus shelters will not be allowed in visually sensitive locations including certain parts of the World Heritage Site where the streets are of primary historic importance (e.g. George Street or Royal Mile) or where advertising would disturb important views or the setting of individual listed buildings. This restriction relates to any form of advertising within bus shelters including digital, illuminated and non-illuminated static and scrolling advertisements. Where acceptable within less sensitive areas of the World Heritage Site, digital advertising will normally only be acceptable as an integral part of a bus shelter subject to normal amenity and public safety assessments.

The proposal seeks to impose digital advertising as part of a bus shelter along Leith Street.

## **Impact on Conservation Area and World Heritage Site**

Relevant extracts from the New Town Conservation Area Character Appraisal are set out as follows:

*The use of grid layout forms throughout the area provides a formal hierarchy of streets with controlled vistas and planned views.*

*Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in a plethora of landmark buildings.*

*Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature.*

*The designed relationship of stone buildings, pavements and setted roads gives a disciplined unity and cohesion to the conservation area.*

*The streets of the New Town form a key component of the geometric hierarchy of the area. The public realm should be of the highest quality in terms of the materials used.*

*Street furniture and road markings can detract substantially from the public realm.*

*Strong efforts should be made to reduce the clutter that currently exists.*

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.

The Council's Street Design Guidance identifies that Edinburgh has a considerable number of areas that are specially protected. Edinburgh's network of streets pass through many of these protected areas which means that the choice of layout, the materials used and street furniture / features; such as street lighting; have to take into account the character and potential impact of any changes being made.

The double sided digital advertising panel will be set perpendicular to the street within the bus shelter, as will the other three bus shelter panels subject of the associated applications. The digital advert will be positioned on the north east side of the shelter adjacent to Edinburgh St James, currently under construction. The area is undergoing significant change and the introduction of illuminated advertising will be set against the backdrop of a modern development which will not detract from the area's urban character. The panel will form an integral part of the shelter design, with the structure providing a level of visual containment to the displays.

The proposal will not have a detrimental impact on the defining characteristics and appearance of this part of the New Town Conservation Area and World Heritage Site. The proposal complies with the Council's guidance on Listed Buildings and Conservation Areas.

## b) Public Safety

The Roads Authority raises no objection to the proposal.

The proposal is acceptable on public safety grounds.

## c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

## d) Public Comments

No representations were received.

## 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 would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that 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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finances and Resources Committee on 5 June 2014.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

No representations were received.

## **Background reading/external references**

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- 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 New Town Conservation Area and the Edinburgh World Heritage site. The site is also part of the Central Area and the City Centre Retail Core.

### **Date registered**

22 November 2017

### **Drawing numbers/Scheme**

01-05,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## **Links - Policies**

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### **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.

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

**Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE -** Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

#### 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

## Application for Advert Consent 17/05445/ADV At 1 Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

### Consultations

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#### Roads Authority

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

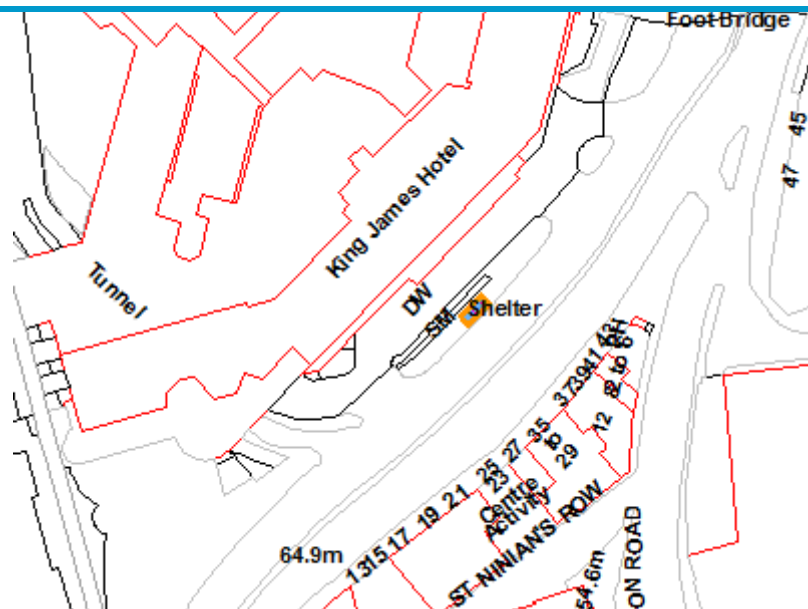
1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

#### Note:

Approval of the advertisement panel does not constitute approval of the location of the bus shelter which should be understood to have been agreed by others.

### Location Plan

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