

# Development Management Sub Committee

Wednesday 24 April 2019

**Application for Advert Consent 19/00237/ADV  
At 2 Joppa Road, Edinburgh, EH15 2EU  
Advertisement of the following types: Fascia sign, hoarding  
(in retrospect)**

<b>Item number</b>	4.12
<b>Report number</b>	
<b>Wards</b>	B17 - Portobello/Craigmillar

## Summary

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The proposal will have an acceptable impact on the amenity and public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), and the Council's Guidance for Businesses. There are no material considerations which outweigh this conclusion.

## Links

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

# Report

## **Application for Advert Consent 19/00237/ADV At 2 Joppa Road, Edinburgh, EH15 2EU Advertisement of the following types: Fascia sign, hoarding (in retrospect)**

### **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 site lies on the north side of Joppa Road and relates to a well established commercial building set back approximately 10 metres from the public road occupying the full width of the site with a vehicle forecourt located between the pavement and the building.

The application premises are a large, flat roofed single storey unit in use as a retail showroom.

The premises are flanked on either side by stone built, two storey residential units which are set forward onto the public pavement.

This application site is located within the Portobello Conservation Area.

#### **2.2 Site History**

26 September 2000 - Advertisement consent was granted for the display of signage (application number 00/02147/ADV).

2 November 2000 - Enforcement enquiry in relation to signage (application number 00/00760/A01).

15 May 2008 - Enforcement enquiry in relation to signage (application number 08/00332/EADV).

25 May 2009 - Development Consent was granted for the replacement of the existing sign with new illuminated sign (in retrospect) (application number 09/00597/ADV).

10 November 2010 - Certificate of lawfulness for existing use as retail (class 1) (application number 10/02889/CLE).

## **Main report**

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

The new signage is attached to the front elevation, facing the road, and consists of individually illuminated letters and logo attached to a non-illuminated grey fascia which is around 3m in height. The lettering is 6.95m in length and 1.4m in height. The logo metres is 1.82m in length and height. Both the logo and the lettering will be internally illuminated.

### **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 impact of the proposal on amenity is acceptable;
- b) The proposal would compromise public safety; and
- c) Any comments raised 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 signs will be erected on a commercial building area which is surrounded by residential properties. The building has been in commercial use for at least 20 years. Previous signage consisted of an illuminated fascia but this has now been removed.

The new fascia is 1m higher than the previous fascia but the logo and lettering take up a smaller proportion of it. The lettering covers less than one third of the fascia and is proportionate to it. It will also consist of individual letters and the visual impact of the illumination is acceptable on this set back building.

To ensure the impacts on amenity at night time are acceptable a condition is recommended to control light levels from the advertisement. On this basis, the proposed signage does not raise any amenity issues in this location.

The proposal will have an acceptable impact on amenity in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

#### b) Public Safety

The sign is erected on the frontage of a commercial building set back from the road and is positioned on the same part of the frontage as the previous business occupant.

The signs do not raise any public safety issues.

The proposal will 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).

#### c) Public Comment

### **Material Considerations**

- brightness of the advertisement and the effect this would have on residential amenity and road safety

### **Community Council**

Portobello Community Council have commented that they undertook an independent on-line consultation from 6 February to 18 February which attracted 86 comments with concerns on the brightness of the LED lighting and the effect this would have on residential amenity and road safety. Since the survey they have noted that the brightness of the signs have been turned down.

### Conclusion

The proposal will have an acceptable impact on amenity and public safety in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) and is in accordance with the Council's Guidance for Businesses.

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.
2. The intensity of illumination of the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.

## **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To safeguard the amenity of nearby residents.

## **Informatives**

It should be noted that:

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.

## **Financial impact**

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

There are no financial implications to the Council.

## **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**

The application has attracted 340 representations. 218 objections and 121 in support. These included comments from Portobello Community Council.

A full assessment of the representations can be found in the main report within the Assessment section.

## 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 lies within the urban area of Edinburgh Local Development Plan where it is designated as lying within Portobello Conservation Area.

**Date registered**

31 January 2019

**Drawing numbers/Scheme**

1-6,

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** '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 19/00237/ADV  
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## **Consultations**

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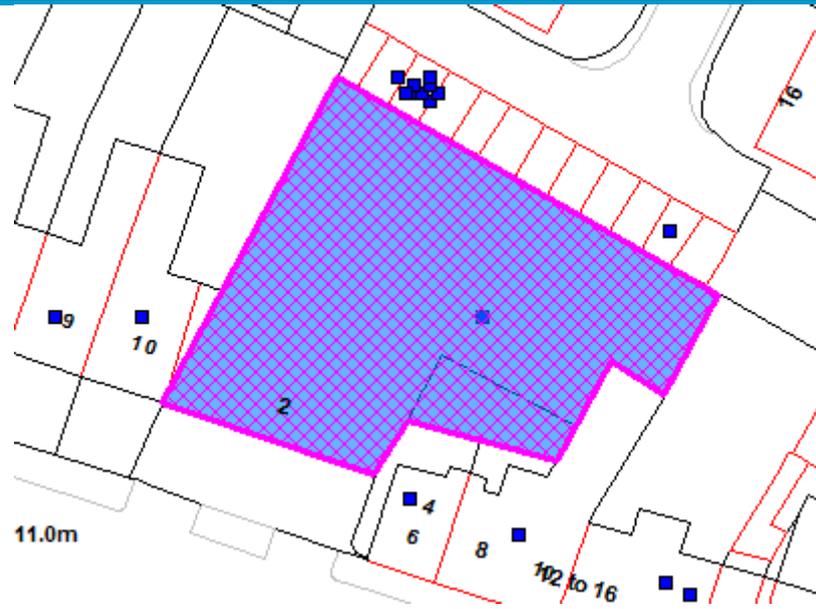
### **Roads Authority Issues**

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

- 1. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;*
- 2. 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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