

Application ref: 2023/4303/A
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Date: 23 April 2024

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Mr Nicholas Foxon
991 Great West Road
Brentford
TW8 9DN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:

Bus shelter outside 15-20 Hampstead Road (west side) (Stop T)
London
NW1 3DP

Proposal:

Relocation and display of 2 internally illuminated digital screens to existing bus shelter structure at Stop T (Easting 529221 / Northing 182397)

Drawing Nos: Site location plan; Block plan; FOTHR-RSM-SKE-02-M2-TE-01-00001 Rev P00.2; Digital Foster Shelter Tech Spec (pages 1-6); Digital Panel Spec (pages 1-2);

The Council has considered your application and decided to grant consent subject to the following condition(s):

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

- (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 6 The intensity of the illumination of the digital sign shall not exceed 450 candelas per square metre between dusk and dawn in line with the maximum permitted recommended luminance as set out by 'The Institute of Lighting Professional's 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements'. The levels of luminance on the digital sign should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.

REASON: To ensure that the advertisement does not have an adverse impact on neighbouring amenity nor be harmful to either pedestrians or vehicular safety in accordance policy D4 (Advertisements) of the Camden Local Plan 2017.

- 7 No special visual effects of any kind are permitted during the time that any message is displayed. The displayed image must not include any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).

REASON: To ensure that the advertisement does not have an adverse impact on neighbouring amenity nor be harmful to either pedestrians or vehicular safety in accordance policy D4 (Advertisements) of the Camden Local Plan 2017.

- 8 The minimum display time for each advertisement shall be 10 seconds.

REASON: To ensure that the advertisement does not have an adverse impact on

neighbouring amenity nor be harmful to either pedestrians or vehicular safety in accordance policy D4 (Advertisements) of the Camden Local Plan 2017.

- 9 The interval between advertisements shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including fading, swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

REASON: To ensure that the advertisement does not have an adverse impact on neighbouring amenity nor be harmful to either pedestrians or vehicular safety in accordance policy D4 (Advertisements) of the Camden Local Plan 2017.

- 10 No advertisement displayed shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

REASON: To ensure that the advertisement does not have an adverse impact on neighbouring amenity nor be harmful to either pedestrians or vehicular safety in accordance policy D4 (Advertisements) of the Camden Local Plan 2017.

- 11 The footway and carriageway on the Transport for London Road Network (TLRN) and Strategic Road Network (SRN) must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.

REASON: To ensure that the advertisement does not have an adverse impact on neighbouring amenity nor be harmful to either pedestrians or vehicular safety in accordance policy D4 (Advertisements) of the Camden Local Plan 2017.

- 12 No music or sound shall be emitted from the advertisements.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

Informative(s):

- 1 The proposal to relocate an existing bus shelter and associated digital media screen on the footway, approximately 28 metres south towards Euston Road, is considered acceptable in terms of location, size, design, and method of illumination.

The digital media screen would be displayed within the structure of the relocated bus shelter located on the western (north bound) side of the road with the display facing north-west and south-east. The display requires express consent due to its cumulative size and internal illumination of the digital screens.

This part of Hampstead Road is a key route in the city, the street is commercial in character, busy and vibrant, with a wide range of shops, restaurants and other services displaying adverts at street level. In this context, given the relocated position would be adjacent to another bus shelter, and in line with other street

furniture and a tree, the digital display would not appear unduly dominant or obtrusive to the visual amenity in the street scene and surrounding area.

Whilst the method of illumination would cause some light spill, they would not be significantly harmful to the nearest neighbouring residents, which are located at upper levels and set back from the street.

In terms of size, siting, and method of illumination the proposal is not considered detrimental to highways safety. The siting of the display would be located at an appropriate distance from road junctions and pedestrian crossings. Due to the busy nature of the area and the width and alignment of the road, the proposed display is considered an appropriate distance from the existing digital display opposite on the southbound side of Hampstead Road. As they would be seen by drivers in moving traffic, the impact of the display is mitigated by restrictions secured by condition attached to this consent/decision. These include restrictions on moving images, the rate of change of the display, intervals between displays and level of luminance during night-time hours when they would be most distracting to drivers. Subject to these conditions, the location of the advertisements within the shelter structure, in a predominantly commercial area, would not be hazardous to vehicular or pedestrian traffic and therefore raises no public safety concerns.

No objections have been received prior to making this decision. The site's planning history has been considered when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D4 and T1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021, The National Planning Policy Framework 2023, and Transport for London's Guidance for Digital Roadside Advertising 2013.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice in regard to your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope
Chief Planning Officer