

Application ref: 2024/4722/A
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JCDecaux UK Ltd
991 GREAT WEST ROAD
BRENTFORD
MIDDLESEX
TW8 9DN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:

Bus Shelter Outside Frogal Station
Finchley Road
London
NW3 6EN

Proposal: Display of double-sided digital LCD screens to existing bus shelter structure no. 0107/0085. (Retrospective)

Drawing Nos: Site location plans 0107/0085, Appendix A TfL Advertised Shelter Specification V2

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 Reasons for granting consent-

The site refers to a display integrated within the bus shelter structure located outside the entrance to Finchley Road and Frognal Overground Station. There are no listed buildings nearby and the site is not within a Conservation Area. The road forms the A41, a primary route into the city, the buildings are four to five storeys with traditional Victorian mansion blocks and a mix of ground floor commercial uses with residential at upper levels.

The double-sided digital media screen would be displayed within the structure of the bus shelter forming its end panel. It would be located on the footway on the western side of the road serving north bound traffic, with the display facing north-west and south-east. The display requires express consent due to its cumulative

size and internal illumination.

The proposed displays are considered acceptable in terms of size, design, location, and method of illumination, and would form an integral part of the existing bus shelter structure. Finchley Road is commercial in nature and a key route into the city. The character of the street scene is vibrant and busy with a wide range of shops, restaurants and other services displaying adverts at street level. In this context, the proposed digital display unit would not appear dominant or obtrusive to the visual amenity and character of the street scene and surrounding area.

The site is in a busy commercial area on a busy dual carriageway with a 20mph speed limit. The proposal would not obstruct sightlines to any traffic signs or traffic signals, would be a sufficient distance from junctions, and would allow sufficient space for pedestrians on the footway. Another single-sided digital advertising display is located nearby on a bus shelter on the opposite side of the road. The siting of two digital advertising panels in such proximity have the potential to cause driver distraction and have a detrimental effect on the safe use of the highway, particularly between dusk and dawn. Therefore, road safety concerns are sought to be mitigated by conditions that minimise illumination and glare levels. They relate to the brightness of the displays, the frequency with which adverts would change, the method of change between adverts, the sequence of successive images, and the display of moving images. Subject to the conditions, on balance, the advertisements are not considered to be hazardous to vehicular or pedestrian traffic and therefore raise no public safety concerns.

The council received no objections prior to making this decision which it considered. The council also considered the area's planning history and relevant appeal decisions when coming to this decision.

As such, the proposal is in general accordance with policies A1, D1 and D4 of the Camden Local Plan 2017 and Policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2019. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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', is positioned in the upper left corner of the page.

Daniel Pope
Chief Planning Officer