

# DPV Consult

## Town & Country Planning Act 1990

### Section 78 Appeal by Urban Innovation Company (UIC) Ltd

#### Appeal Statement of Case

#### **Installation of Pulse Smart Hub with integrated digital screens and emergency functionality including provision of defibrillators as follows:**

- Appeal 3: Planning permission (“Appeal 3A”: APP/X5210/W/24/3354413) and Advertisement Consent (“Appeal 3B”: APP/X5210/Z/24/3354414) Pavement outside 133 Clerkenwell Road, London EC1R 5DB
- Appeal 4: Planning permission (“Appeal 4A”: APP/X5210/W/24/3354415) Advertisement Consent (“Appeal 4B”: APP/X5210/Z/24/3354416) Land adjacent to 85 Clerkenwell Road, London EC1R 5AR
- Appeal 5: Planning permission (“Appeal 5A”: APP/X5210/W/24/3354417) and Advertisement Consent (“Appeal 5B”: APP/X5210/Z/24/3354419) Pavement outside of 27 Chalk Farm Road, London, NW1 8AG
- Appeal 6: Planning permission (“Appeal 6A”: APP/X5210/W/24/3354421) and Advertisement Consent (“Appeal 6B”: APP/X5210/Z/24/3354422) Pavement opposite 152 West End Lane, (corner of Iverson Road), London, NW6 2LJ

**(Please note: Appeals 1 and 2 (see Section 1) subject to a separately submitted rebuttal statement by the Appellant on the 30 December 2025)**

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# 1. Introduction

- 1.1. This Supplemental Statement has been prepared on behalf of the Appellants. It is to be read in conjunction with the Appellant's original Statement of Case.
- 1.2. This Statement does not seek to add any new material recognising that whilst a new National Planning Policy Framework (NPPF) was published on the 12 December 2024 the pertinent guidance of the previous December 2023 version of the NPPF remains unchanged.
- 1.3. Please note a rebuttal Statement was submitted on the 30 December in response to the Council's Appeal Statements in respect of:
  - Appeal 1: Planning permission ("Appeal 1A": APP/X5210/W/24/3354410) and Advertisement Consent ("Appeal 1B": APP/X5210/Z/24/3354409). Pavement outside 85 Chalk Farm Road, London, NW1 8AR
  - Appeal 2: Planning permission ("Appeal 2A": APP/X5210/W/24/3354411) and Advertisement Consent ("Appeal 2B": APP/X5210/Z/24/3354412) Pavement Outside The Holborn Hotel, on the North Side of Theobald's Road at the Junction with Old Gloucester Street, London WC1B 4AR.
- 1.4. The Appellant's response is set out in Section 2.0 and Section 3.0 respectively.

## **2. Comments on the Council's Appeal Statements and Third-Party Representations**

- 2.1. The Council has produced separate Appeal Statements for each appeal and there have also been third party comments relating to each.
- 2.2. The matters raised do not introduce new material and accordingly the Appellant is content to rely on the comprehensive information submitted with all the appeals.
- 2.3. In the case of both appeals the Council does reference some modest changes to the public realm but it is evident to the Appellant that the proposed Pulse Smart Hub would not compromise the ability to implement these proposals in any of the proposed locations.

### 3. Conditions

3.1. The Appellant has reviewed the 'suggested' conditions by the Council at all appeal locations and are generally content to leave it to the Inspector to impose appropriate conditions in a 'standardised' form in accordance with the 6 'tests' set out in para. 58 of the NPPF should the Inspector allow any or all the appeals insofar as they must be:

- Necessary
- Relevant to planning
- Relevant to the development to be permitted
- Enforceable
- Precise
- Reasonable in all other respects

3.2. If the appeals are allowed the Appellant would anticipate similarly worded conditions as follows:

- **Schedule of Conditions: Planning Appeal**

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be completed in accordance with the following approved plans and documents [.....]
3. Prior to the first operation of the development hereby permitted a management plan setting out the means of dealing with vandalism, graffiti and malfunctioning shall be submitted to the local planning authority for its approval. The development shall thereafter be operated and managed in accordance with the approved plan.

- **Schedule of Additional Conditions: Advertisement Appeal**

1. The intensity of the illumination of the display screen shall not exceed 2000 candelas per square metre during the day and 600 candelas per square metre during the hours of darkness.
2. The digital display shall not display any moving, or apparently moving, images (including animation, flashing, scrolling, three dimensional, intermittent or video elements)
3. The minimum display time for each advert shall be 10 seconds and the change in advertisement display shall be instantaneous.
4. No advertisement displayed shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.
5. No music or sound shall be emitted from the advertisements.
6. In the event of malfunction, the display screen shall be immediately switched off.