

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	16/11/2011
		N/A / attached		<b>Consultation Expiry Date:</b>	24/10/2011
<b>Officer</b>			<b>Application Number(s)</b>		
Nicola Tulley			2011/4804/A		
<b>Application Address</b>			<b>Drawing Numbers</b>		
341 - 359 Finchley Road London NW3 6ET			Site allocation plan; 2x A4 photos; Drawing ref; elevation.		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Display of 2 x internally illuminated hoarding signs fronting Finchley Road for a temporary period of 9 months. (Retrospective)					
<b>Recommendation(s):</b>		Refuse advertisement consent and authorise enforcement action to secure removal of the unauthorised advertisement hoardings.			
<b>Application Type:</b>		Advertisement Consent			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>External:  Transport for London has been consulted. TFL state that the proposal should not result on an unacceptable impact upon the TLRN. However, the proposed illuminated signs should:</p> <ul style="list-style-type: none"> <li>• Not have intermittent illumination;</li> <li>• Accord with the guidance given in the latest Technical Note from the Institute of Lighting Engineers;</li> <li>• The footway/carriageway should not be blocked during installation and maintenance.</li> </ul> <p>Internal:  Internally, Transportation have been consulted, their observations are noted in the assessment below.</p>					
<b>CAAC/Local groups* comments:</b> *Please Specify	N/A.					

## Site Description

The subject site is located on the west side of Finchley Road on the junction of Lymington Road. The area is currently vacant and under construction in relation to planning reference 2009/2914/P for the redevelopment of the site for mixed use purposes including residential.

Finchley Road forms part of the Transport for London Road Network (TLRN).

## Relevant History

2009/2914: Granted (s106), Demolition of all buildings (including 14 flats) on site and its redevelopment for mixed-use purposes comprising: 9-storey residential block of 14 flats (Class C3); 3-storey community centre building incorporating; multi-purpose hall, nursery, classrooms, cafe, cinema, dance studios, rehearsal studios, recording studio, piazza and associated ancillary uses (Class D1); ancillary car parking and servicing; and associated works including landscaping.

As stated in the Design and Access Statement, the application for retrospective permission of hoardings relates to the partnership the Jewish Community Centre for London made with Outdoor Plus Limited to assist funding for development while construction is taking place.

## Relevant policies

### LDF Core Strategy and Development Policies

Core Policies

CS5 Managing the impact of growth and development

Development Policies

DP21 Development connecting to the highway network

DP24 Securing high quality design

Camden Planning Guidance 1 'Design'

## Assessment

The applicant is seeking retrospective permission for the erection of two internally illuminated advertisement hoardings sited at the south-western corner of the site, adjacent to Lymington Road. The advertisement hoardings are erected on stilts at an angle forming a V shape on the frontage of Finchley Road.

The applicant deemed the advertisement hoardings to be acceptable under the provisions of Class 8 'deemed consent', following notification on the 28<sup>th</sup> May 2011. CPG1 states that deemed consent is not available for residential development.

*Under Class 8 advertisements permitted must not:*

- *Be displayed more than three months before the date on which the building or construction works actually start;*
- *Be more than 38 square metres in area;*
- *Be more than 4.6 metres above ground level;*
- *Be displayed for more than three years.*

*Additionally, the advertiser must send written notification to the planning authority of his intention to display such an advertisement at least 14 days before the display starts, and provide a copy of the detailed planning permission for the site. These advertisements may be illuminated in a manner reasonably required to fulfil the purpose of the advertisement.* In noting the above it is clear that the advertisement hoardings are not lawful under Class 8.

## Design and Appearance

The advertisement hoardings are located behind construction boards safeguarding the site, plan 'ELEVATION' indicates that the height of the advertisement hoarding is approximately 6.65 metres from ground level. Both hoardings are of similar dimensions 3m x 12m (36m<sup>2</sup>) and are internally illuminated, 600cdm<sup>2</sup>.

The applicant is seeking permission for the above hoardings to be erected for a temporary period of 9 months. Advertisements are not considered acceptable where they are likely to be detrimental to highway and pedestrian safety, or the free flow of traffic. Camden Planning Guidance 1 states that hoardings will only be considered acceptable where they relate to the scale of the host building or feature and its surroundings. The combination of the size, scale, height, number and illumination of the advertisement hoardings are deemed excessive and particularly obtrusive serving to detract from the character and appearance of the locality. In terms of accordance with policy and adopted guidance the hoarding is completely disproportionate to the size and scale of the existing built environment and their retention would be unacceptable, even for a temporary period.

## **Transportation**

The advertisement hoardings are internally illuminated and in consideration of their excessive size, 36m<sup>2</sup>, in combination with the proportion of illumination is likely to cause confusion, glare and dazzle road users, in addition to harming the visual amenity of the surrounding area.

Transportation officers note that there is a signalised pedestrian crossing located directly adjacent to the subject site. Officers are concerned that the large hoarding signs will constitute a road safety hazard and distract road users. The proposed is contrary to Development Policy DP21 where the council will expect developments connecting to the highway network to avoid causing harm to highway safety.

## **Conclusion**

It is understood that the proposed advertisement hoardings are required for a temporary period of 9 months to provide funding, which is no different to any landowner who may wish to have a similar advert erected on their land, however, for the reasons outlined above the advertisement hoardings are deemed unacceptable by reason of their excessive display serving to detract significantly from the streetscape and existing buildings. As such the application is contrary to policies: CS5; DP24 of Camden's Local Development Framework and Camden Planning Guidance 1 'Design'.

## **Recommendation**

1. Refuse advertisement consent.

2. That a Section 10 and 11 Notice of the London Local Authorities Act 1995 requiring the complete removal of the unauthorised hoardings and associated fixtures and fittings be issued.

That authorisation be given to prosecute the owner/operator of the property for displaying the unauthorised hoardings in breach of the Town and Country Planning (Control of Advertisements) Regulations 2007.

## **The Notice shall allege the following breach of planning control:**

The unauthorised erection of two advertisement hoardings within the site of 341-359 Finchley Road.

## **WHAT YOU ARE REQUIRED TO DO:**

Remove the unauthorised hoardings and its fixtures and fittings from site.

## **PERIOD OF COMPLIANCE**

The Notice shall require that is removed within a period of 21 days of the Notice taking effect.

## **REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.**

The existing advertisement hoardings do not fall under the provisions of Class 8 'deemed consent' and are unacceptable for the following reasons:

1. The proposed continued display of the internally illuminated hoardings by virtue of its: prominent location; excessive size and display would be detrimental to the visual amenity and character of the street-scene, resulting in visual clutter and undue visual intrusion into the general street-scene contrary to Core Strategy Policy CS14 (Promoting High Quality Places and Conserving Our Heritage) and Development Policy DP24 (Securing high quality design) of Camden's Local Development Framework.
2. The continued display of the internally illuminated hoardings by virtue of their excessive size and prominent location in close proximity to a signalised pedestrian crossing would cause undue distraction causing conditions which are prejudicial to highway and pedestrian safety, contrary to Development Policy DP21 (Development connecting to the Highway Network) of Camden's Local Development Framework.

## **Disclaimer**

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