



Planning and Built Environment
Camden Council
Planning Department
Town Hall Extension
Argyle Street
London
WC1H 8EQ

10th July 2014

// Euston Circus Underpass – Extension of Digital Advertisement Consent

Dear Sir/Madam,

We have been instructed by Transport for London (TfL) to submit an advertisement application to extend the express consent (LPA Ref: 2010/6613/A) for advertising at the above-mentioned site for and to vary Condition 2 of the associated planning permission (LPA Ref: 2010/6615/P) to allow the retention of the cladding and structure.

Site Description

The site is currently occupied by two digital advertisements above the eastern and western entrances to the Euston Underpass (**Appendix 1**). The advertisements were installed in 2011 as part of works to upgrade the cladding in the underpass and to improve the public realm at ground level.

The scheme directly related to the improvement works at street level to create 'Euston Circus'. Revenue from the advertising directly contributed to this scheme. Transport for London continue to invest in the infrastructure of the road network in Camden and throughout the capital to provide improved services to pedestrians, cyclists and vehicular traffic and these revenues ensure that these works come forward in a timely manner.

The area surrounding the site is commercial in character and contains a number of tall buildings. The immediate area underneath the screens is dominated by four lanes of traffic with two lane slip roads either side of the underpass.

The materials used on the sides and rear of the advertising structure is consistent with the new cladding within the underpass. The materials were chosen to not only improve and modernise the appearance of the underpass but also to be hard wearing given the harsh urban setting. The selection of materials was undertaken in consultation with the urban designers for the Euston Circus urban realm improvements and officers at Camden Council.

The site is located within the Euston Road Masterplan Area but is not located within a Conservation Area or an Area of Special Advertisement Control. There are no listed buildings in the immediate vicinity of the site.

The existing screens measure 12 metres by 3.5 metres and their height means that they project above street level by approximately 2.7 metres. The advertising structures give the impression of two bookends, which define the Euston Circus public realm. It also means that the advertising is partially submerged below the prevailing ground level, which means it is not visible in the wider area other than in views east and west along Euston Road.

Planning History

The screens were granted advertisement consent (LPA Ref: 2010/6613/A) and the associated recladding of the underpass was granted planning permission (LPA Ref: 2010/6615/P) on 1st July 2011. The consent was granted on a temporary three year basis to allow the Council to assess the impact of the new advertising technology on the area. Given the capital investment in both the digital advertising technology and the extensive cladding works it was considered by the applicant at the time that the condition was inappropriate.

The Officer's Report acknowledges that the "surrounding area is highly commercial and contains a range of large and tall buildings" and "there are a number of advertisements along the Euston Road corridor of varying design, scale and style". In terms of the proposed advertising, the Officer's Report states:

"The proposed advertisement signs are not of a scale that the Council would normally encourage. However, it is acknowledged that the signs would be located above a vehicle-only part of the one of the busiest vehicle corridors in this part of London, at an exposed and expansive open road junction which is not typical of Camden's road network. These factors serve to mitigate the impact of the signs".

The officer's report concluded that the advertising was far enough from any local building that it would not lead to the loss of visual amenity, daylight or sunlight nor would they be likely to result in light pollution to occupiers.

It is also worth highlighting that since the application was approved there have been two applications and appeals for advertising on the University College Hospital building on the corner of Tottenham Court Road and Euston Road. These applications comprised the following:

- // An application for a single display screen built into the building façade was refused on 22/10/13 and subsequently dismissed at appeal on 31/12/13 (LPA Ref: 2013/6400/A).
- // An application for the installation of a curved media screen affixed to the Hospital façade was refused on 18/10/12 and subsequently dismissed at appeal on 11/07/13 (LPA Ref: 2012/4564/A).

It is worth highlighting that in the most recent appeal the Inspector drew a clear distinction between the proposals for advertising on the Hospital and the advertising on the underpass concluding that the advertising on the Hospital would be much more visually prominent and therefore, impactful.

Background to Proposals

It was noted during the consideration of the original application that this technology was at the time unique with no comparable technology on display within the Borough. As such, there was a condition added in order to assess the impact of this new technology.

Since advertisement consent and planning permission were granted a number of comparable sites have either been developed or have recently been granted consent in

London. These decisions are a material consideration in the assessment of this proposal. The sites listed below are all located on TfL red routes and form part of a wider strategy to create a network of digital screens on underpasses, which can also be used for variable messaging signage when there are incidents on the network which require traffic to be redirected.

We have appended CGI and photographic examples of each of the sites at **Appendix 2**. The most similar examples in terms of the more suburban location are at Argyle Road and Shooters Hill.

- // Trinity Road Underpass – Approved by Wandsworth Planning committee on 11th November 2013 (Application Ref: 2013/4605)
- // Argyle Road Bridge – Approved by Ealing Planning Committee on 20th February 2014 (Application Ref: PP/2013/4727)
- // Shooters Hill, Blackheath – Appeal Allowed following refusal by Greenwich Council on 29th January 2014 (Appeal Ref: APP/E5330/H/13/2200826)
- // Wick Lane – Approved under delegated powers by LB Tower Hamlets on 13th December 2012 (Application Ref: 12/00200/ADV)
- // Piccadilly Underpass – Approved at Committee by Westminster City Council on 16th July 2013 (Application Ref: 13/03410/COADV)

The sites are located in a variety of different urban locations with the Piccadilly Underpass being located in a particularly sensitive location in heritage and built environment terms.

In addition to the above TfL sites, we can direct officers to examples of digital advertising on road bridges and underpasses in Manchester (Mancunian Way) and Birmingham (Queensway) and at the A3220 West Cross Route (London) if this would be of assistance.

The above consents demonstrate that digital advertising on underpasses is now an accepted form of advertising in amenity and public safety terms.

Pre-Application Feedback

In advance of the submission of the application, TfL sought pre-application advice on the form of the application and the proposals. A pre-application meeting was held with Gavin Sexton on 20th June 2014.

It was acknowledged that this is a unique site within the Borough and that in this setting an advert as proposed was acceptable. He confirmed that circumstances had not changed since the original consents were granted which would change this conclusion in amenity terms. The highways department had requested that a transport statement assessing traffic accident data since the advertising became operational should form part of the application submission.

It was agreed that a fresh application would be submitted for advertising consent to retain the advertising for a further five years together with a Section 73 application to vary Condition 2 of planning permission (LPA Ref: 2010/6615/P) to allow the cladding and structure to be retained.

Proposals

The existing application was approved under delegated powers in July 2011 and the advertising became operational in October 2011. The period of the advertisement consent was limited to 3 years. The application now seeks advertisement consent to allow the

advertising to be retained in-situ for a further five years and to vary Condition 2 of the planning permission to retain the cladding and advertising structure. The application would therefore, eliminate the need to remove the advertising and associated structures and cladding.

Planning Considerations

National Policy

Since the previous application was determined there have been changes to national guidance with the introduction of the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG) and the cancellation of Planning Policy Guidance Notes and Circulars.

The NPPF places great importance on the design of the built environment and as such is a key aspect of sustainable development. Paragraph 63 states that great weight should be given to “outstanding or innovative designs which help raise the standard of design more generally in the area”. In contrast, poor design should be refused where it fails to take opportunities to improve the character and quality of an area.

Planning Policy Guidance Note 19 ‘Outdoor Advertisement Control’ (March 1992) was withdrawn in 2012 and replaced by the National Planning Policy Framework (NPPF). PPG19 recognised that “Outdoor advertising is essential to commercial activity in a free and diverse economy” (Paragraph 3) and the NPPF is a pro-growth document which continues this theme and includes a “presumption in favour of sustainable development”.

The Government’s economic policy objective is to achieve strong, sustainable and balanced economic growth. Advertising plays a key role in a dynamic economy, attracting investment from foreign companies and stimulating consumer spending at home. Advertising can also help companies to increase their profile and grow. Successful companies create more jobs, pay more tax and contribute directly to economic growth.

The NPPF reduces the guidance within PPG19 down to two paragraphs but retains the same focus, which is to accept that there is a “need” for advertising and to ensure that Local Authorities only exercise their powers of control “...where there is an appreciable impact on a building or on their surroundings”. In such circumstances, “Advertisements should be subject to control only in the interests of amenity and public safety” (Paragraph 67, NPPF, March 2012).

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 is the legislative framework upon which the NPPF is based. Regulation 3 states that advertising should be controlled in the interest of amenity and public safety taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Non-statutory advice and guidance on the regulations was provided in the Government Circular 03/2007 until it was withdrawn and replaced on 6th March 2014 by National Planning Practice Guidance. The DCLG has also produced informal guidance in the publication “Outdoor Advertisements and Signs: A Guide for Advertisers”.

The DCLG guidance provides broad-brush definitions of what is meant by the terms ‘amenity’ and ‘public safety’ and some general guidance on assessing proposals.

The replacement “Planning Practice Guidance” is less detailed and as a result much less prescriptive in assessing what would contribute an amenity impact. The advice on amenity serves as a reminder to Local Authorities that large format advertising is acceptable in principle in the right locations, and states:

"...In assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features. This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site." (Paragraph 79)

Whilst the changes to the documents have been significant the changes to the guidance on advertising contained within them has not been significant. It is not considered that the changes at the national level would have any particular implications for the previous advertising consent.

Local Policy

The Unitary Development Plan (UDP) was replaced in November 2010 by the Local Development Framework (LDF). The documents in the LDF relevant to this submission include: the Core Strategy; Development Policies; Supplementary Planning Documents (SPDs); and, once adopted, the Euston Area Plan.

Camden's Design Guidance document was adopted in November 2011, which is relevant in assessing the proposals. It is understood that the Council is also undertaking an enforcement initiative to take action against illegal hoardings around the Borough, although this is not a formal policy.

The enforcement initiative is not considered to be relevant to these proposals as the Council previously considered that the application was acceptable in amenity and public safety terms. It is not considered that there has been any change in circumstances, which would prevent an extension to this temporary trial period.

The existing adverts comply with policy CS14 of the Core Strategy (Promoting High Quality Places and Conserving Our Heritage) and in particular part (a) which requires high quality design in developments in a manner that "respects local context and character". As mentioned, the character of the area is wholly commercial with tall buildings surrounding the sites and roads dominating the underpass. The screens integrate well to their surroundings and enhance the character of the area. The adverts further comply with part (c) which states that "high quality landscaping and works to streets and public spaces" will be promoted.

Camden Planning Guidance CPG1 (Design) provides specific advice on the design of development with Chapter 8 relating solely to Advertisements, Signs and Hoardings. The chapter states that "in general, the most satisfactory advertisements are those which take into account: the character and design of the property; the appearance of the surroundings; and the external fabric of the building". It further states that regard should be given to the intensity of illumination; surface area to be illuminated; and positioning and colours. This point is also raised in paragraph 8.1 regarding the illumination of advertisements which should have regard to the Institute of Lighting Engineers Technical Report Number 5 (Second Edition).

Amenity

The surrounding area is highly commercial and contains a number of large buildings. The significant levels of traffic that use the road every day currently dominate the Euston Road. There have been no substantive changes to the built environment of the surrounding area since the grant of the original consent other than the completion of the Euston Circus public realm improvements.

In terms of the public realm improvements, the scheme was developed in consultation with the urban design team for Euston Circus. As such, the materials and interface between the cladding of the underpass and the advertising has been carefully considered to ensure that it ties within the public realm improvements.

The British Land development has been completed following the first operation of the screens. However, this development had been approved at the time the original applications were determined and were therefore, a material consideration in the determination of the applications. It is also important to note that British Land supported the advertising application.

The height of the advertising structure at ground was designed so that its overall height was minimised, although it is marginally taller than the average pedestrian. Given the scale of the Circus and the area of pavement it means that the advertising structures would not dominate the pedestrian environment. It should also be noted that the views of the rear of the structure are now partially screened by the raised planters and associated soft landscaping

The advertising can be seen in views west and east along Euston Road. However, the screens impact is mitigated by the fact that they are partially submerged below ground level. They are also above a vehicle only dual carriageway, which is one of the busiest roads in the Borough and are therefore, seen in the context of vehicles using the underpass, which filter longer views during rush hour.

The nature and character of Euston Road and the underpass is unique within Camden. As such, the proposal for advertising on the entrances to the underpass is also unique. Both Camden and Planning Inspectors have acknowledged this and therefore, this scheme does not set a precedent for advertising elsewhere in the Borough.

The screens are now an established part of the street scene and clearly do not have a detrimental impact on the amenity of the area.

The scheme was considered sufficiently acceptable in terms of visual amenity during the initial application process by the local authority to grant consent and the condition only added to review this new technology on the street scene after a period of 3 years. This technology is now common place within the capital and with planning consents granted for similar new displays on underpasses and many existing structures being upgraded to this efficient method of displaying advertisements it is considered that it is acceptable in amenity terms to extend this temporary period for five years.

Public Safety

The screens are clearly visible to the traffic using the Euston Road. Road users travelling east have clear visibility of the screen for 200 metres and those travelling west have clear visibility for approximately 150 metres, which indicates that these stretches of road are relatively straight and uncomplicated. There has been no change in the road layout on the approach to each of the screens since they first became operational.

At the median average speeds for this road these panels are, therefore, in view for approximately 15 seconds (eastbound) – 20 seconds (westbound). That is a relatively long time during which drivers are able to take-in any message from the advertising.

The screens are located directly in the drivers' line of sight when first viewed and then gradually move up the windscreen as the vehicle drops down into the underpass. There is no need, therefore, for drivers to look away from the road ahead to take in the display.

Drivers normally view these advertising panels by means of a series of quick glances taken as part of their visual scan of road conditions ahead. The nature of this type of advertising

is such that there is no need for a driver to fixate on the advertisement in order to read a large amount of detail. In this case, the extent of the deflection required of the driver's view is less than that required to glance into the car to check the instruments. In addition, no change in focal length is required, whereas it is in the case of reading the vehicle instruments.

The arrangement of the west-facing panel has deliberately been reduced in width and height to ensure that the display does not sit alongside the offside primary traffic signal facing eastbound traffic on the off-slip. It also allows for intervisibility between drivers and pedestrians at this controlled crossing point. In this case, the location is such that the size of the advertisement is limited by the bridge structure and is also 'naturally' contained by the structures around it. It is also directly in a driver's line of sight on the immediate approach from either direction.

Since the existing panels were commissioned on 10th October 2010, there have only been 5 accidents, all at the ground level junctions. Given the high levels of traffic using the underpass, and the congested nature of that traffic for long periods of the day, the figures indicate a good safety record for this section of road and no discernible impact arising from the advertising.

In considering the original application, the Council's transport planner and TfL's Borough planners concluded that the advertising would not create a public safety issue subject to appropriate conditions controlling the operation of the screen. The following conditions were appended to the advertising consent:

- // Any image must be entirely static and must not include any animation or movement within each display or show any link to the next display.
- // The frequency of change of any image shall not be more than once every 10 seconds.
- // The brightness of the screens shall be controlled to be no more than 350 nitts/sqm during the night time period.

The screens have operated in accordance with these conditions. It is not proposed to seek to amend these conditions or make any changes to the size of the advertising. There have been no changes to the Euston Road conditions or layout since the first operation of the screens. As such, it is considered that there is no reason why a different conclusion would be reached on public safety.

It should be noted that the need for a temporary consent was not required on public safety grounds.

Application Submission

The advertisement consent application is supported by the following information:

- // Completed application forms;
- // Planning Letter Statement (this letter);
- // Application drawings comprising the following:
 - // 001_Location Plan
 - // 002_Existing Plan Westside
 - // 003_Existing Plan Eastside

- // 004_Existing North & South Elevations
- // 005_Existing Street Level Elevations
- // 006_Existing West Elevation
- // 007_Existing East Elevation
- // 008_Existing Section AA
- // 009_Existing Long Section
- // 010_Existing Detail – Section Crash Barrier
- // Public Safety Report; and
- // Application fee of £385 to Camden Council.

The application to vary Condition 2 of the planning permission (LPA Ref: 2010/6613/A) is supported by the following information:

- // Completed application forms;
- // Planning Letter Statement (this letter);
- // Application drawings comprising the following:
 - // 001_Location Plan
 - // 002_Existing Plan Westside
 - // 003_Existing Plan Eastside
 - // 004_Existing North & South Elevations
 - // 005_Existing Street Level Elevations
 - // 006_Existing West Elevation
 - // 007_Existing East Elevation
 - // 008_Existing Section AA
 - // 009_Existing Long Section
 - // 010_Existing Detail – Section Crash Barrier
- // Public Safety Report; and
- // Application fee of £195 to Camden Council.

Conclusion

The site is located in a highly commercial area that is suitable in principle for advertising and was considered acceptable in both amenity and public safety terms when the original application was granted. However, the Council only granted a temporary consent to allow the suitability of the technology to be assessed. Digital advertising technology is now commonplace on the streets of London and a number of adverts on bridge structures have been granted consent and implements. As such, we consider that it would be appropriate to retain the advertising for a further period of five years.

I trust you will find the application submissions in order and look forward to receiving confirmation of their registration in due course. In the meantime, should you require any additional information please do not hesitate to contact either me or my colleague Laura Joseph.

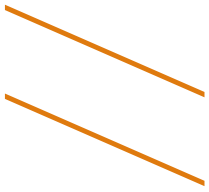
Yours sincerely,



Philip Allard
Planning Director
Wildstone Planning

c.c. John Pizzamiglio TfL
 Jonathan Lewis Outdoor Plus

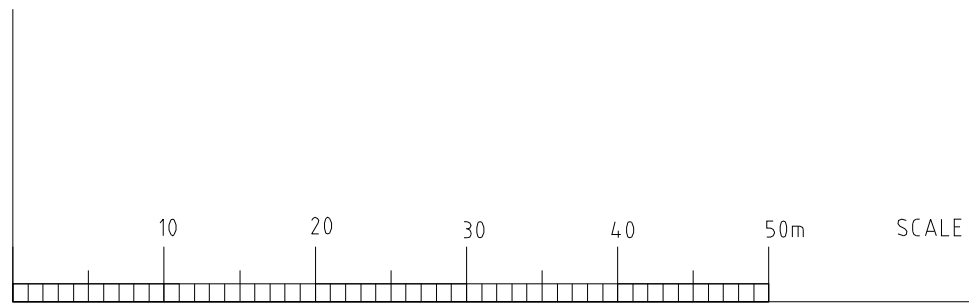
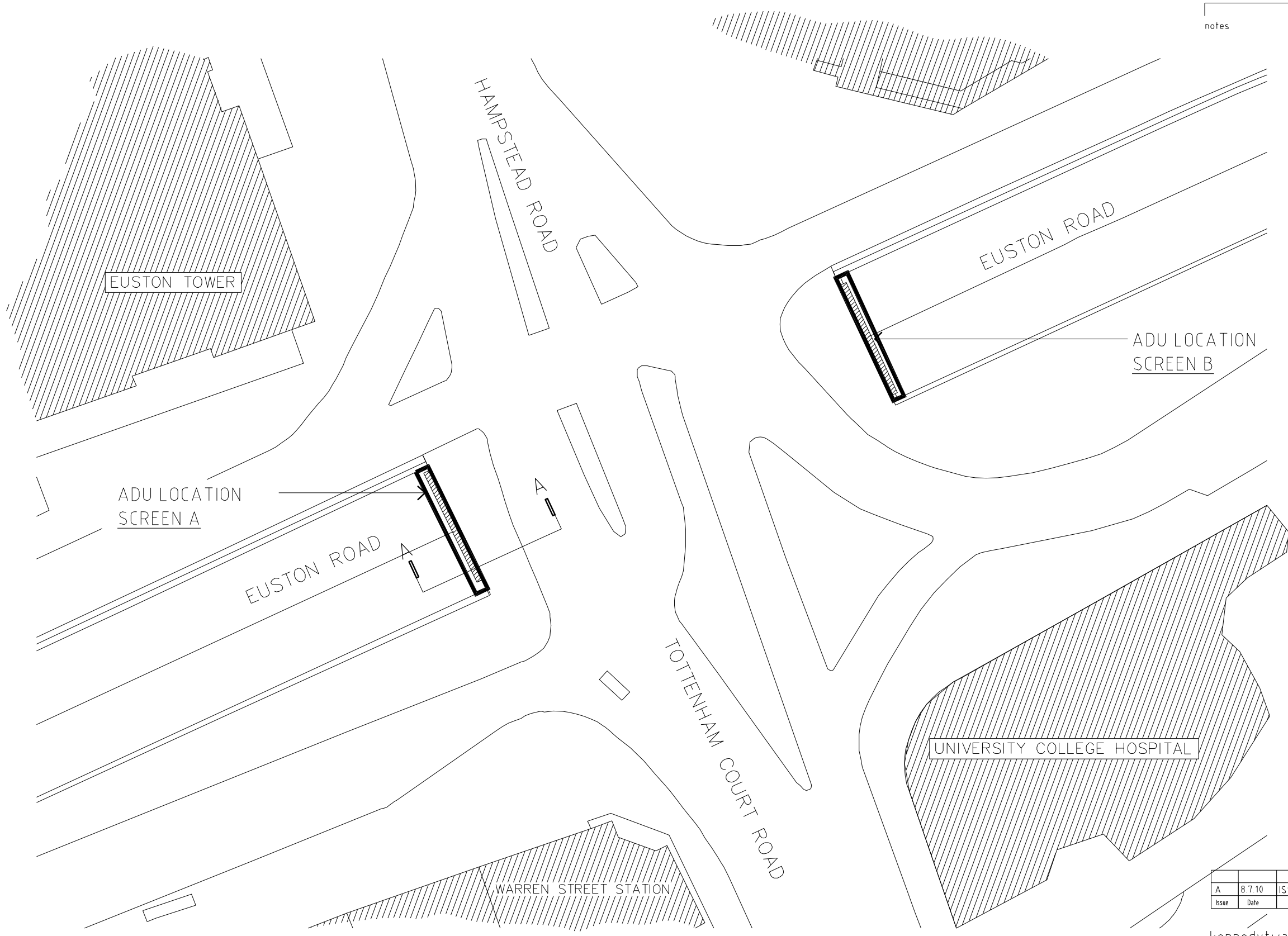
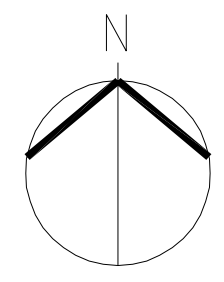
Appendix 1 – Site Location Plan and Advertising Elevations
Appendix 2 – Underpass Examples



Appendix 1

do not scale - all dimensions to be checked on site
 designer to be notified of any discrepancies
 copyright kennedytwaddle architectural design

notes



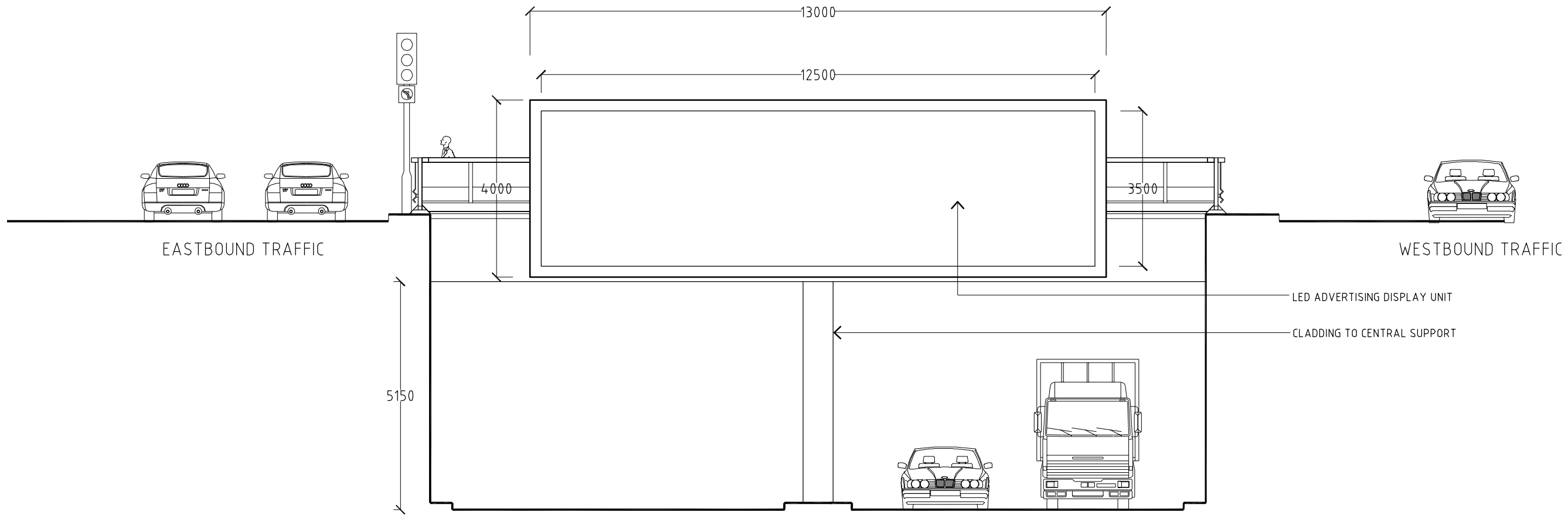
Issue	Date	Description	Drawn	Checked
A	8.7.10	ISSUED FOR INFORMATION	CT	GK

kennedytwaddle architectural design
 24 Tottenham road
 London N1 4BZ
 TEL 020 7249 8995
 FAX 020 7249 8817

Project EUSTON CIRCUS					
Client TFL ROAD DIRECTORATE					
Title LOCATION PLAN					
Scale 1:500@A3	Date NOV 2010	Job Number KT/W1/1	Type 200	Drwg Number 001	Issue A

do not scale - all dimensions to be checked on site
 designer to be notified of any discrepancies
 copyright kennedytwaddle architectural design

notes

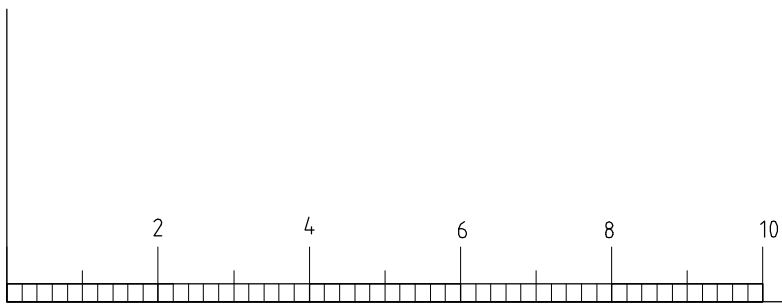


SCREEN A

Issue	Date	Description	Drawn	Checked
A	8.7.14	ISSUED FOR INFORMATION	CT	GK

kennedytwaddle architectural design
 24 Tottenham road
 london N1 4BZ
 TEL 020 7249 8995
 FAX 020 7249 8817

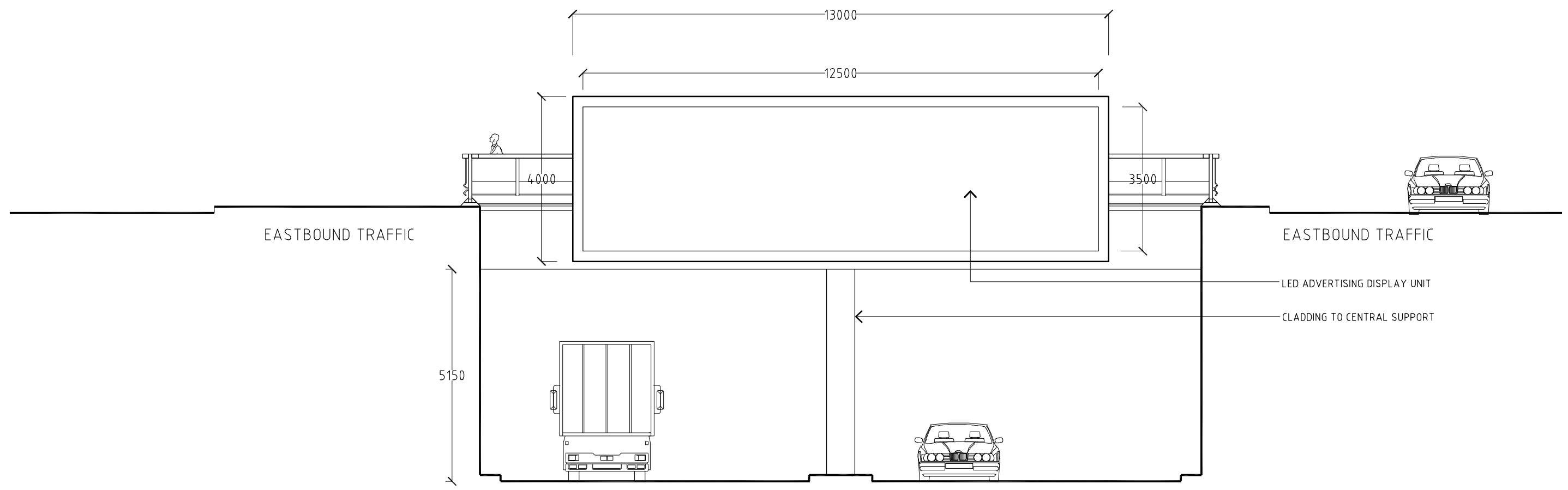
Project EUSTON CIRCUS					
Client TFL ROAD DIRECTORATE					
Title EXISTING WEST ELEVATION					
Scale	Date	Job Number	Type	Drwg Number	Issue
1:100@A3	NOV 2010	KT/W1/1	200	006	A



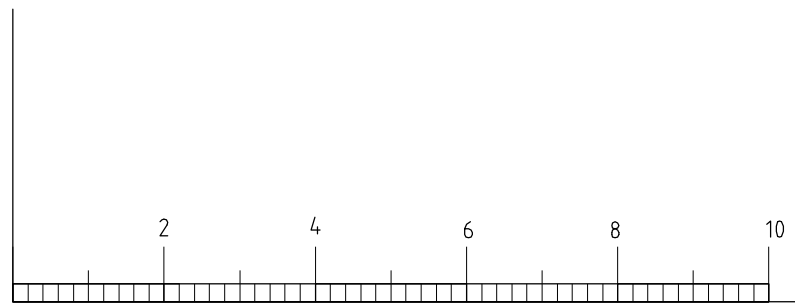
SCALE

do not scale - all dimensions to be checked on site
 designer to be notified of any discrepancies
 copyright kennedytwaddle architectural design

notes



SCREEN B



SCALE

Issue	Date	Description	Drawn	Checked
A	8.7.14	ISSUED FOR INFORMATION	CT	GK

kennedytwaddle architectural design
 24 Tottenham road
 london N1 4BZ
 TEL 020 7249 8995
 FAX 020 7249 8817

Project EUSTON CIRCUS					
Client TFL ROAD DIRECTORATE					
Title EXISTING EAST ELEVATION					
Scale 1:100@A3	Date NOV 2010	Job Number KT/W1/1	Type 200	Drwg Number 007	Issue A



Appendix 2

London Borough of Wandsworth
Trinity Road Underpass

LPA Ref: 2013/4605



London Borough of Ealing
Argyle Road Bridge

LPA Ref: PP/2013/4727



Royal Borough of Greenwich
Shooters Hill, Blackheath

Appeal Ref: APP/E5330/H/13/2200826



Wick Lane

LPA Ref: 12/00200/ADV



City of Westminster
Piccadilly Underpass

LPA Ref: 13/03410/COADV

