

Delegated Report			Expiry Date:	21/11/2014
Officer			Application Number(s)	
Matthias Gentet			2014/6077/A	
Application Address			Application Type:	
O/s Premier Inn Euston Road London WC1H 9AA			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent	
Proposal(s)				
Display of 1 x internally illuminated advertisement on a public payphone.				
Consultations				
Summary of consultation responses:		Response from the Police: The site for this application is on a wide pavement, with casual surveillance from the hotel. No objections.		
Site Description				
The site is located on the south side of the Euston Road outside the Premier Inn hotel and Somerton House and near a traffic junction to the south-west on Euston Road which is one of the main arteries through London heading west starting from Kings Cross and St Pancras Station to the north east. The location of the public pay phone is only around 100m away from Bloomsbury Conservation Area and St Pancras Church on Upper Woburn Place which is a Grade I listed building.				
Relevant History				
<u>Host site:</u>				
<u>2012/1699/P</u> - (refused on 15/05/2012) - Installation of 1 x electronic communications apparatus (public payphone) - Pavement outside 141 Euston Road.				
<u>Adjacent/nearby sites:</u>				
<u>2009/1770/P</u> – (refused) - Installation of a telephone kiosk on the public highway - Outside 137-139 Euston Road. Appeal dismissed on 04/05/2010.				
<u>2009/1771/P</u> - (refused) - Installation of a telephone kiosk on the public highway – Outside the British Library, 96 Euston Road. Appeal dismissed on 04/05/2010.				
<u>2009/2314/P</u> - (refused) - Installation of a telephone kiosk on the public highway – 194 Euston Road. Appeal dismissed on 04/05/2010.				
<u>2010/3271/P</u> – (refused) - Installation of a public payphone adjacent to Euston Tower, Hampstead Road - Pavement to Hampstead Road elevation, Euston Tower, 286 Euston Road. Appeal dismissed on 24/03/2011.				
<u>2011/5699/P</u> – (refused on 23/12/2011) - Installation of 1 x electronic communications apparatus				

(public payphone) - Outside of 297 Euston Road.

2012/1700/P – (refused on 15/05/2012) - Installation of 1 x electronic communications apparatus (public payphone) - Pavement adjacent to 128-144 Euston Road.

2012/2119/P – (refused on 07/06/2012) - Installation of 1 x telephone kiosk on pavement - Outside 371 Euston Road

2012/5949/P – (refused) - Installation of 1x solar powered telephone kiosk on the pavement - Pavement adjacent to 350 Euston Road – Appeal dismissed on 16/07/2013.

2014/3698/A – (granted on 28/07/2014) - Display of internally illuminated panel to side of pay phone.

2014/4606/P – (officer recommends refusal) - Installation of payphone on public footway - Outside 235 Euston Road.

2014/4607/P - (officer recommends refusal) - Installation of payphone on public footway - Outside 250 Euston Road.

Enforcement history:

Through enforcement initiative to remove adverts from phone boxes the Council has successfully secured the removal of adverts similar to the ones proposed as part of the current application.

Sites include:

72 Russell Square – 1 advert removed (reference: EN11/0597)
106 Southampton Row – 1 advert removed (reference: EN10/0725)
Guilford Street – 2 adverts removed (reference: EN/1035 & EN14/1128)
Cromer Street – 2 adverts removed (reference: EN14/1029)
Brunswick Square - 1 advert removed (reference: EN11/0660)
Camden High Street - 1 advert removed (reference: EN10/0045)
Outside Warren Street Tube – 1 advert removed. (reference: EN14/0538)

Relevant policies

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth
CS11 – Promoting sustainable and efficient travel
CS14 – Promoting high quality places and conserving our heritage
CS17 – Making Camden a safer place
DP16 – The transport implications of development
DP21 – Development connecting to the highway network
DP24 – Securing high quality design
DP26 – Managing the impact of development on occupiers and neighbours

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Camden Planning Guidance 2011 (as amended)

CPG1-Design - Chap 8

Planning Enforcement Initiative to remove unsightly advertisement hoardings in the Borough

National Planning Policy Framework March 2012

Planning Practice Guidance

Assessment

Proposal

The application is for the display of internally illuminated 6 sheet advertisement on the north-east elevation of an existing public pay phone. The advertisement would be facing the oncoming traffic on Euston Road. The kiosk is approximately 70m away from a bus shelter that is also adorning illuminated double-sided signage on its south-west facing side as well as 3 other public pay phones on the opposite payment, facing the bus stop, also with advertisements though non-illuminated. Neither have advert consents.

There is currently advertisement being displayed on the pay phone, though it is stated to be non-illuminated in section 3 of the application form. However, following a site visit, the said non-illuminated advertisement is actually externally illuminated by an overhead light to the underside of the top of the phone booth.

Contrary to what is stated in section 3 of the application form, this type of illuminated signage does not have deemed consent due to the method of illumination and advert consent has never been granted nor sought for the externally illuminated sign currently in place.

The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.

Advertisement Consent was granted for the display of internally illuminated signage on a pay phone outside of 371 Euston Road on 28/07/2014 (ref: 2014/3698/A). This consent was granted in error as the report contains factual inaccuracies and should not be used as justification to grant other consents. Each application should be granted on its individual merits. As can be seen from the planning history above, we have successfully secured the removal of other similar unauthorised adverts as part of the enforcement initiative to remove unsightly advertisement on phone boxes in the Borough.

Amenity

The National Planning Policy Framework must be taken into account in the preparation of Local and neighbourhood Plans, and is a material consideration in planning decisions.

Advertisements are controlled with reference to their effect on amenity and public safety only. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest [[Regulation 3\(2\) \(a\)](#) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007].

Paragraph 079 of the NPPF guidance states that it is a matter of interpretation by the local planning authority (and the Secretary of State) as it applies in any particular case. In practice, "amenity" is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. So, 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.

The proposed externally illuminated signage would appear as an incongruous feature and would result in additional visual clutter along this part of Euston Road. As such, the proposal would be harmful to the appearance of the street scene due to its siting and method of illumination and unduly permit the over use of space for more advertisement, adding to the bus shelter and 3 public pay phones further down which are already providing illuminated and non-illuminated advertisements.

Camden Planning Guidance (1 – Design) states that advertisements should serve as an integral part of the immediate surroundings. It also states that free standing signs and signs on street furniture will

not normally be accepted where they contribute to visual and physical clutter and create a hindrance to movement along the pavement or pedestrian footway.

It is considered that the proposal would fail to preserve or enhance the character and appearance of the streetscene CS14 stating that the Council will ensure and require development of the highest standard of design that respects the local context and character.

Public Safety

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that factors relevant to public safety include the safety of persons using any highway. Planning Practice Guidance states that the main types of advertisements that may cause dangers to road users include those externally or internally illuminated signs and which are subject to frequent changes of display

Paragraph 8.8 of CPG1 – Chapter 8 Advertisements Signs and Hoardings states that advertisements will not be considered acceptable where they impact upon public safety, such as being hazardous to vehicular traffic (e.g. block sight lines, emit glare) or pedestrian traffic (e.g. disrupt the free flow of pedestrian movement).

Given the fact that the signage is to be, not only illuminated but also a rolling 6 sheet poster (non-static), facing the oncoming traffic and in the proximity of another illuminated sign on the adjacent bus stop, the advertisement is raising public safety issues in terms of further distraction to drivers and cyclist alike on a very busy thoroughfare travelling in a south-west direction and thus increase the potential for accidents contrary to policy CS17 and DP21.

Recommendation - The application is therefore recommended for refusal.