

Delegated Report			Expiry Date:	21/11/2014
Officer			Application Number(s)	
Matthias Gentet			2014/6078/A	
Application Address			Application Type:	
O/s of 221 Camden High Street London NW1 7BU			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: No objections in relation to this application I do object. The footpath is narrow at this location with high footfall. The advertisement obstructs vision down the street. This location may be used to hide from CCTV. Crime (Drugs, dealing, robbery) or Anti-Social Behaviour does occur and this advertisement may assist an offender.		
Site Description				
The site is located on the south-west side of the upper part of Camden High Street and on the corner with Inverness Street Market on Inverness Street and is few hundred yards from Camden Town Tube Station on the opposite side of the pavement. The upper part of Camden High Street provides vehicular access in the form of a one way system towards Chalk Farm Road heading northbound and goes through a densely commercial part of Camden Market which is a very popular part of the borough for visitors and residents alike throughout the week with increased activities at week-ends.				
Relevant History				
Host site:				
<u>2009/1766/P</u> – (refused on 27/05/2009) - Installation of a telephone kiosk on the public highway - Outside 221 Camden High Street.				
<u>2011/2406/A</u> – (refused 17/06/2011) - Display of non-illuminated sign on the side elevation at 1st and 2nd floor level - 221 Camden High Street.				
Adjacent site:				
<u>2003/0789/P</u> – (refused on 18/08/2003) - Siting and appearance of 2 telephone boxes within the roadside pavement at 220/222 Camden High Street – Outside of 220/222 Camden High Street.				
<u>2003/0793/P</u> – (refused on 18/08/2003) - Siting and appearance of 2 telephone kiosks within the roadside pavement at 154A Camden High Street – Outside of 154A Camden High Street.				
<u>2003/3611/P</u> – (refused on 11/02/2004) - Removal of a telephone kiosk and replacement kiosk with ATM facilities - Outside Camden Market, Camden High Street.				
<u>2009/3556/P</u> – (Approved on 10/09/2009) – Re-siting and installation of a telephone kiosk on footpath				

- Outside 176 Camden High Street.

2009/3563/P – (approved on 10/09/2009) – Re-siting and installation of a telephone kiosk - Outside Camden Market, Camden High Street.

Various applications from the 1960s through to the 1990s for phone booths on Camden High Street which have either been refused or granted by defaults. The lists contains around 35 or so applications.

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: EN1035 & 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)ims

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 south-east side of an existing public pay phone. The advertisement would be facing the oncoming traffic on Camden High Street travelling north-west direction. The kiosk is on the upper part of Camden High Street which serves as access route to and through the Camden Market area. There are 2 other public payphones on the opposite pavement to the site which also adorn advertisements, though non-illuminated.

The public pay phone has externally illuminated advertisement currently displayed though it is stated to be non-illuminated in section 3 of the application form. 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 box.

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 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

It is acknowledged that the surrounding area does contain various advertisements. However, predominantly the are artistic advertisements adorning/decorating the upper levels of the front elevations in this upper part of Camden High Street, reflecting the originality and uniqueness of the character of the Market, shops and street scene, an identity which has long been established and which the council is determined to maintain as such and unspoiled. There are also the usual fascia and projecting signs which are also a positive addition to the exotic nature of the street scene. Advertisement on street furniture does not form part of this character. Camden Planning Guidance 1 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.

The proposed externally illuminated signage is contrary to the guidance as it is located on street furniture and would appear as an incongruous addition in the street scene which would result in inappropriate visual clutter, harming the character and appearance of the street scene.

There are 2 other payphones adorned with non-illuminated advertisement on the opposite side of Camden High Street close to the application site. As these advertisements are located within the conservation area they do not benefit from deemed consent and there is no advertisement consent for

them. This matter is being referred to the Enforcement Team to take action to remove these unauthorised adverts.

It is considered that the internally illuminated advertisement would be detrimental to the unique character and appearance of the area and harmful to the street scene contrary to CS14 and DP24.

Public Safety

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. 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.

Paragraph 068 of the NPPF practice guidance states that the main types of advertisement which may cause danger to road users are:

(a) those which obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway;

Paragraph 078 of the states that the prevention of crime is a public safety consideration.

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).

As this site is not within a conservation area an advert could be installed on the façade without illumination without consent. Therefore the assessment that must be made is the addition of the rolling signage which is not only illuminated but also a rolling 6 sheet poster (non-static) and facing the oncoming traffic, in an area which is often congested with pedestrians and traffic. The advertisement therefore raises public safety issues in terms of further distraction to drivers and cyclist alike on a very busy thoroughfare for the travelling in a south-west direction.

The impact of obscuring a façade is the increased opportunity for anti-social behavior and potential problems in terms of street crime and robbery. The Metropolitan Police in their consideration of the prior approval application for the telephone kiosk, objected to the installation in this location on the basis that it provides opportunity for crime and anti-social behaviour. The Metropolitan Police have again objected to this proposal on the basis that it provides opportunity for crime and anti-social behaviour. However as an advertisement obscuring the façade could be installed without consent it is not considered that this is a sufficient reason in this case to form a reason for refusal.

Recommendation

The application is therefore recommended for refusal.