

11 March 2015

Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Dear Sir/Madam

APPLICATION FOR ADVERTISEMENT CONSENT UNDER TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

SITE (REFERENCE 6775) AT NEW COLLEGE COURT, 13 FINCHLEY ROAD, LONDON NW3 5EX

Please find enclosed an application for advertisement consent in accordance with the above Regulations. Specifically, the application seeks consent for:

"Replacement of existing internally-illuminated 'light box' display with an internally-illuminated 'LED screen' display"

The application comprises the following documents and drawings:

- Advertisement Consent Application Form
- Site Location Plan (drawing reference 002061/001)
- Existing and Proposed Elevations (drawing reference 002061/002)
- Existing and Proposed Panel Specification (drawing reference A00001)
- Appeal Decision Reference APP/X5210/H/13/2196672

A cheque in the sum of £385, being the requisite application fee, will be sent to the Council under separate cover, quoting the relevant Planning Portal reference number (pp-04040573).

Application Background and Summary

This application is pursuant to application reference 2014/6692A which was refused by the Council (notice dated 8 December 2014) and is now the subject of an appeal under reference APP/X5210/Z/15/3003981.

It is also noted that a Discontinuance Notice (dated 1 March 2013) served by the Council under reference EN11/0788 was quashed on appeal on 4 October 2013 (APP/X5210/H/13/2196672).

The existing advertisement benefits from Class 13 deemed consent under the 2007 Regulations having been in situ in excess of 10 years.

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Application Proposal

As described above, the application seeks consent for the replacement of the existing advertising unit with a modern LED display, commensurate with the status of Finchley Road as a vibrant shopping area (see enclosed drawings).

The permitted display is a traditional light box, being a pressed metal unit housing strip lighting across the front of which a PVC poster is manually stretched and fixed behind the external framing.

The application seeks to address the shortcomings of stretched vinyl; an out-dated medium that is gradually being phased out across premium sites by the advertising industry. In its place digitally produced images are being employed, allowing a more flexible use of space and content, via remote computer control, to present images in high definition.

The proposed advertisement will present a range of static images and will not contain any movement, animation or flashing lights. A new image will materialise every 10 seconds.

Beyond the enhanced presentation of advertising material, this proposal brings wider benefits which include:

- Energy efficient LED systems which use up to 70% less power than traditional lighting;
- LEDs have a longer service life (typically 4 times that of traditional lighting) and unlike the existing mercury filled tubes, can be recycled at the end of their life. No printing and disposal costs with regards to the medium displayed; and
- Reduction in vehicle miles and movements to operate the site.

Additionally, the proposed LED scheme is slimmer (see enclosed drawings) and set further into the existing buildings fabric, thus minimising the impact of the display.

In addressing those reasons for refusal set out in application 2014/6692A, we also propose that the advertisement not operate between the hours of 2300 and 0500.

It is proposed that the new advertisement will operate an illumination level of 400cd/m², a similar level of illumination to that existing.

Accordingly, this would be reflected alongside the standard conditions attached to any grant of consent. An addendum setting out additional conditions is enclosed which reflects this position.

Grounds for Approval

The National Planning Policy Framework (the Framework) makes clear that advertisements should be subject to control only in the interests of amenity and public safety. Development plan policies are material considerations only.

The proposed sign is not substantively different from that currently existing. Its height and dimensions are identical and the impact with regards to the key determining factors, set out in the Framework and Regulations, is considered minimal.

With reference to the Inspector's considerations in appeal decision APP/X5210/H/13/2196672 (para 12) the existing illuminated advert does not cause substantial injury to the amenity of the locality.

Given the similarities between that existing and proposed this principle also lends itself to those elements set out in Para 9 of the same report: that the proposed advert would also

only be visible from one direction; is not in a conservation area; would continue a use that has operated without complaint for more than 10 years and; is an established part of the street scene.

This is considered to address the basis of those policies set out in the Council's reasons for refusal in application 2014/6692A.

With regards to public safety the Council state that the impact of a digital advertisement would considerably increase the impact of the advertisement, particularly at night. This is a judgement and no evidence was offered in refusing the previous application.

Applying the same level of judgment; one method of illumination traded for another coupled with the repositioning of an advert of similar size is not considered a substantive difference. However, this application seeks to limit the illumination levels and operating times. Both aspects should address the Council's rationale set out in application 2014/6692A.

It should also be noted that the proposal would not require any further man-power other than its installation. The remote access to content means that no individual, vehicle/machinery will be necessary to service the location thus limiting safety issues/concerns.

Summary and Conclusions

This application seeks express consent for the replacement of the existing advertisement with a modern digital advertisement display.

The proposal does not differ substantively from that existing with evidence demonstrating that an advertisement at this location is commensurate to its setting.

We have put forward a planning solution which is considered fair and considerate, taking account of those historic concerns, and respecting the guiding principles of determining such applications.

We therefore respectfully request that express consent be granted for the proposal.

We look forward to receiving confirmation of validation in due course. Please do not hesitate to contact us should you require additional information or clarification.

Yours faithfully,

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Addendum – Suggested Special Conditions

1. In the interests of visual amenity and highway safety the illumination level of the advertisement the subject of this application shall be restricted to 400cd/m².
2. In the interests of highway safety, the proposed advertisements shall not change more frequently than once every 10 seconds nor shall they contain any moving images and text.
3. The approved advertisement shall not operate between the hours of 2300 and 0500.