

JCDecaux UK Ltd
FAO: Mr Nicholas Foxon
991 Great West Road
Brentford
Middlesex
TW8 9DN

Application Ref: **2016/3877/A**
Please ask for: **Leela Muthoora**
Telephone: 020 7974 **2506**

5 December 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:
Bus stop outside 127 Tottenham Court Road
London
W1T 5AU

Proposal:
Installation of double-sided structure integral to new bus shelter at 'Stop X' to display 2x internally illuminated digital screens.
Drawing Nos: Site location plan and drawing package for bus stop Os 127 Tottenham Court Road W1T 5AU pages 1-7

The Council has considered your application and decided to grant consent subject to the following condition(s):

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.



- 2 No advertisement shall be sited or displayed so as to
- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 6 The intensity of the illumination of the digital sign shall not exceed 400 candelas per square metre between dusk and dawn in line with the maximum permitted recommended luminance as set out by 'The Institute of Lighting Professional's 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements'. The levels of luminance on the digital sign should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.

REASON: To ensure that the advertisement does not harm the character and appearance of this part of the Fitzroy Square Conservation Area and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies and Transport for London Guidance for Digital Roadside Advertising.

- 7 The digital sign shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video

elements).

REASON: To ensure that the advertisement does not harm the character and appearance of this part of the Fitzroy Square Conservation Area and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies and Transport for London Guidance for Digital Roadside Advertising.

- 8 The minimum display time for each advertisement shall be 10 seconds.

REASON: To ensure that the advertisement does not harm the character and appearance of this part of the Fitzroy Square Conservation Area and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies and Transport for London Guidance for Digital Roadside Advertising.

- 9 The interval between advertisements shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including fading, swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

REASON: To ensure that the advertisement does not harm the character and appearance of this part of the Fitzroy Square Conservation Area and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies and Transport for London Guidance for Digital Roadside Advertising.

- 10 No advertisement displayed shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

REASON: To ensure that the advertisement does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21 and DP26 of the London Borough of Camden Local Development Framework Development Policies and Transport for London Guidance for Digital Roadside Advertising.

- 11 The footway and carriageway on the Transport for London Road Network (TLRN) and Strategic Road Network (SRN) must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation

must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.

REASON: To ensure that the advertisement does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP21 and DP26 of the London Borough of Camden Local Development Framework Development Policies and Transport for London Guidance for Digital Roadside Advertising.

Informative(s):

1 Reasons for granting consent:

Advertisements displayed on highways structures have deemed consent under Schedule 3 Class 9 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, provided that they do not exceed 2.16sqm in area and are not illuminated. The proposed adverts require consent due to the size and illumination of the digital screens. The Regulations permit the Council to only consider amenity and public safety matters in determining advertisement consent applications.

The proposed digital screen display units are considered acceptable in terms of size, design, location and method of illumination. It is accepted that all advertisements are intended to attract attention and the proposed advertisements are to be placed in a typical position for an advertising panel that forms part of the integral structure of a bus shelter structure. In the wider street scene, the advertisements are not considered unduly dominant in the street scene in this commercial Central London location.

The site would be at the northern end of Tottenham Court Road which is a busy commercial road on the perimeter of the Fitzroy Square Conservation area. It is not considered that the signs by reason of their illumination would cause harm to the visual amenity of the locality of the street scene as there is a variety of existing signage including illumination and therefore they would not detract from the character and appearance of the Fitzroy Square Conservation area.

Whilst the method of illumination would cause some light spill, the position of the screens on the existing bus shelter structure are positioned at an appropriate distance facing away from the nearest neighbouring occupiers which are currently in retail and hotel use. Lower levels of illumination during the hours of darkness and restrictions on the rate of change of the display are secured by condition attached to this consent. On balance, the proposed screens would not be considered significantly harmful to neighbouring occupiers.

In terms of size, siting and method of illumination the proposal is not considered detrimental to highways safety. The double sided panel would form an integral part of the existing bus shelter structure and would be located at an appropriate

distance from road junctions. Following planned improvements to the highway and footway, the new shelter would allow for an effective footway width. As the advertisement would be seen by drivers in moving traffic this decision includes a condition that restricts the display of moving images. On balance, the advertisements are not considered to be hazardous to vehicular or pedestrian traffic and therefore raise no public safety concerns.

The site's planning history has been taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

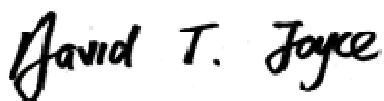
As such, the proposed development is in general accordance with policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP21, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the policies of the London Plan 2016 and of the National Planning Policy Framework 2012 and Transport for London's Guidance for Digital Roadside Advertising 2013.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Executive Director Supporting Communities