

Delegated Report			Expiry Date:	03/11/2016
Officer			Application Number(s)	
Leela Muthoora			2016/2950/A	
Application Address			Application Type:	
Bus shelter opposite 12-16 Theobalds Road London WC1R 5LN			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent	
Proposal(s)				
Installation of double-sided structure to existing bus shelter no. 0107/1034 to display of 2x internally illuminated digital screens.				
Consultations				
Summary of consultation responses:		No consultation responses received		
Site Description				
<p>The site is an existing bus shelter located on the footway opposite a grade II listed terrace at 12-22 Theobald's Road and adjacent to a grade II listed wall and railings to the grade II* historic Gray's Inn Gardens within the Bloomsbury Conservation Area.</p> <p>The site plan and co-ordinates submitted differ from the existing location of the bus shelter. The assessment has been made on the existing location as stated in the application.</p>				
Relevant History				
<p>This site- 2015/5217/A Bus Shelter opposite 12-16 Theobald's Road – Withdrawn 14/12/2015 Installation of double-sided structure to existing bus shelter for display of digital screen and non illuminated static poster panel.</p> <p>Other sites- 2015/5233/A Bus Shelter outside 14-16 Theobald's Road – Refused 14/12/2015 Installation of double-sided structure to existing bus shelter no. 0107/0876 for display of digital screen and non illuminated static poster panel.</p> <p>Reason for refusal The internally illuminated digital screen by reason of its location, size and design, would be unduly dominant and visually obtrusive in the street scene, failing to preserve and enhance the character and appearance of the Bloomsbury Conservation Area and harming the setting of the adjacent Grade II Listed Buildings with a detrimental impact on highway safety contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; DP21 (Development connecting to the highway network), DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.</p> <p>There are similar applications for single sided digital screens where refusals were appealed and the appeals were dismissed by the Planning Inspectorate who agreed that the adverts would be harmful</p>				

to visual amenity and heritage assets. They involved 'Display of digital screen and non-illuminated static poster panel to existing bus shelter':

2015/5201/A - opposite 88 Gray's Inn Road - Refused 22/01/2016 - Appeal dismissed 03/06/2016;
2015/5202/A - outside 125-129 Kingsway - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5203/A - outside 117 Kingsway - Refused 22/01/2016 - Appeal dismissed 03/06/2016;
2015/5204/A - outside 258 West End Lane - Refused 22/01/2016 - Appeal dismissed 07/06/2016;
2015/5205/A - outside Town Hall Euston Road - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5363/A - outside 100A Chalk Farm Road - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5365/A - outside 70 Kingsway - Refused 22/01/2016 - Appeal dismissed 06/06/2016.

Relevant policies

Town and Country Planning (Control of Advertisements) (England) Regulations 2007
National Planning Policy Framework 2012
London Plan 2016

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

CS14 – Promoting high quality places and conserving our heritage

DP21 – Development connecting to the highway network

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011/2015 (as amended)

CPG1 Design 2015 - Ch.3 Heritage and Ch. 8 Advertisements

CPG6 Amenity 2011- Ch.5 Artificial Lighting

Camden Character Study June 2015

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Assessment

1. Proposal

- 1.1. Advertisement consent is sought for installation of a double-sided structure to form an end panel at right angles to the north-eastern end of the existing bus shelter for the display of two digital screens facing inward and outward. Each digital screen would be 1338mm (W) x 2370mm (H) x 350mm (D) with a visible display area of 1.9m² made of an LCD screen with replacement glazing of 8mm. The screens' luminance levels are capable of 2500cd/m.
- 1.2. This follows a previous application in Jan 2016 (see history above) which was withdrawn following officer advice that it would be refused. The proposal was for a single sided digital screen and a non-illuminated static poster panel.

2. Planning considerations

- 2.1. Adverts 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. Although the addition of the end panel falls within permitted development for highways structures, the main purpose of the structure is for advertising and the display requires express consent due to their cumulative size and internal illumination of the digital screens.
- 2.2. The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to consider amenity and public safety matters in determining advertisement consent applications.

3. Amenity: Visual impact and impact on residential amenity

- 3.1. Camden Planning Guidance for Design (CPG1) advises that good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. As the advertisements are proposed as integral to the bus shelters they are assessed against their impact on the character and appearance of the nearest buildings and surrounding area and their addition to the street scene.
- 3.2. Design guidance and the Bloomsbury Conservation Area Management Strategy also states that 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.
- 3.3. The area is a mix of commercial and residential uses; however, the listed terrace opposite has no signage and the retail and pub opposite between Kings Mews and Gray's Inn Road have restrained signage with limited illumination in accordance with guidance for the conservation area. The existing bus shelter has one information panel and no advertising panels. It is transparent at either end to allow visibility through the structure and has minimal impact on the surrounding area. The proposed advertisement would be highly visible due to its size, location, illumination and it would occupy a prominent position on the footway and constitute an element of visual clutter. It is considered that it would be unduly dominant in the immediate vicinity and prominent in longer views along Theobald's Road. It would appear out of character in this area and would detract from the setting of the adjacent listed structures and terrace opposite. Overall, it is considered that the proposal would fail to preserve or enhance the character and appearance of the conservation area and cause harm to the visual amenity of the immediate locality and wider area.
- 3.4. Camden Planning Guidance for Amenity (CPG 6) advises that artificial lighting can be damaging to the environment and result in visual nuisance by having a detrimental impact on the quality of life of neighbouring residents, that nuisance can occur due to 'light spillage' and glare which can also significantly change the character of the locality. As the advertisements are not located at a typical shop fascia level they can appear visually obtrusive and as they

would be illuminated, they have the potential to cause light pollution to neighbouring residential properties. The nearest residential windows are situated at an approximate 30m opposite at nos. 20 & 22 Theobald's Road. Although the south-west facing screen may be visible, as it would be on the opposite side of the road, the proposal is not considered to be detrimental to the neighbouring occupiers' amenity in terms of light pollution or outlook.

4. Public Safety

- 4.1. Policy DP21 requires development proposals to avoid disruption to the highway network, its function, causing harm to highway safety, hindering pedestrian movement and unnecessary clutter as well as addressing the needs of vulnerable users. The Council will not support proposals that involve the provision of additional street furniture that is not of benefit to highway users. The increased size of the glazed end panel replaced by the solid digital display forum is considered to create a hindrance to the free flow of pedestrian movement on the footpath causing pedestrians to negotiate around it during busy periods. The addition of the screens would reduce the effective footway width to 1.15m, which is contrary to the minimum effective footway of 1.8m recommended by the document titled Pedestrian Comfort Guidance for London published Transport for London. It would therefore, have a detrimental impact on pedestrian comfort levels and safety on this pedestrian route and would be contrary to DP21.
- 4.2. It is accepted that all advertisements are intended to attract attention and the proposed advertisements would be placed in a typical position for a poster panel within an existing bus shelter structure. The Council also acknowledges digital displays of the size and form proposed are experienced in using the capital's transport network and the level of illumination and display of moving images can be restricted by condition. However, advertisements are more likely to distract road users at junctions, roundabouts and pedestrian crossings particularly during hours of darkness when glare and light spillage can make it less easy to see things, which could be to the detriment of pedestrian and other road users' safety.
- 4.3. The existing bus shelter is predominantly glazed allowing views through the shelter. The addition of the solid digital display forum would be visible from the junctions of King's Mews and Gray's Inn Road with Theobald's Road. In this location, the display would be visible from some distance on Theobald's Road heading north-east which would allow time for it to be seen and noted by drivers without causing sudden visual disturbance after exiting the busy junction from Gray's Inn Road onto Theobald's Road. Drivers joining Theobald's Road from King's Mews are sufficient distance away for sightlines to be adversely affected. On balance, the proposal is not considered to have a detrimental impact on drivers' sight lines but the protection of pedestrians due to the reduced footway is contrary to DP21 and the proposal is unacceptable on this basis.
- 4.4. The proposal includes a function which can override the advertisement to display an emergency message. However any benefit from this is considered minor in comparison to the narrowing of the footway and its detrimental impact on the safety of pedestrians.

5. Recommendation

5.1. Refuse Advertisement Consent as follows-

- 5.1.1. The internally illuminated digital screens by reason of their location, size, design and method of illumination would be unduly dominant and visually obtrusive in the street scene, failing to preserve and enhance the character and appearance of the Bloomsbury Conservation Area and harming the setting of the adjacent grade II listed buildings and structures contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

5.1.2. The internally illuminated digital screens, by reason of their location and size, would hinder the free flow of pedestrian movement by reducing the effective footway resulting in an unacceptable detrimental impact on highway safety and amenity contrary to policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy as well as policies DP21 (Development connecting to the highway network) and DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.