

<b>Delegated Report</b>			<b>Expiry Date:</b>	13/10/2016
<b>Officer</b>			<b>Application Number(s)</b>	
Leela Muthoora			2016/4258/A	
<b>Application Address</b>			<b>Application Type:</b>	
Bus Shelter outside Bloomsbury Square Gardens opposite 43-45 Bloomsbury Square London WC1A 2RA			Advertisement Consent	
<b>1<sup>st</sup> Signature</b>	<b>2<sup>nd</sup> Signature (If refusal)</b>	<b>Conservation</b>	<b>Recommendation(s):</b>	
			Refuse Advertisement Consent	
<b>Proposal(s)</b>				
Installation of double-sided structure to existing bus shelter no. 0107/8752 to display of 2x internally illuminated digital screens.				
<b>Consultations</b>				
<b>Summary of consultation responses:</b>		No consultation responses received.		
<b>Site Description</b>				
<p>The site is an existing bus shelter located on the footway adjacent to a number of Grade II listed buildings and structures including close to a K6 telephone kiosk and the historic Bloomsbury Square Gardens and railings. It is in front of Victoria House, 37-63 Southampton Row, opposite 43-45 Bloomsbury Way and opposite 1-20 Sicilian Avenue, all of which are Grade II listed buildings within the Bloomsbury Conservation Area.</p> <p>The nearest junction is approximately 9m north-east at Bloomsbury Square with Vernon Place and 50m to the traffic lights and busy junction of Southampton Row with Vernon Place and Theobald's Road.</p> <p>The nearest residential units are approximately 85m to the south-west at 7-8 Bloomsbury Square.</p>				
<b>Relevant History</b>				
<p><b>This site-</b>  <b>2015/5231/A</b> Bus Shelter outside Bloomsbury Square Gardens - <b>Refused 22 January 2016</b>  Installation of double-sided structure to existing bus shelter no. 0107/8752 for display of digital screen and non illuminated static poster panel.</p>				
<b>Reason for refusal</b>				
<p>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>				
<b>Other sites-</b>				
<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 all involved 'Display of digital screen and non-illuminated static poster panel to existing bus shelter' at the following sites-

**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 (as amended)**

**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

CPG 6 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-east 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 1.9m<sup>2</sup> 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 refusal in Jan 2016 (see history above) which was for a similar structure to this bus shelter but involving only one single sided digital screen and a non-illuminated static poster panel.
- 1.3. It should be noted that similar schemes at other sites in Camden were refused advert consent (see history above); subsequent appeals were dismissed by the Planning Inspectorate who agreed with the Council's reason that the adverts would be harmful to visual amenity and to the character and appearance of the streetscene, conservation area, and/or adjoining listed buildings.

### 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 predominantly commercial with residential uses on the opposite side of the square; however the listed building to the north-east, Victoria House, has no signage facing the square and limited signage facing Vernon Place. The retail and pub in the parade opposite on Sicilian Avenue have restrained signage in accordance with guidance for the Conservation Area and listed buildings. The existing bus shelter has two information panels with no advertising panels and is open at either end to allow visibility through the structure and has minimal impact on the surrounding area. Despite the busy nature of the area, the proposed structure would be highly visible due to the size, location and illumination and would occupy a prominent forward 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 from Bloomsbury Square, along Bloomsbury Way and Vernon Place. It would appear out of character in this area as it would detract from the setting of the adjacent listed buildings, historic square and

telephone box. It is considered that the proposal would fail to preserve or enhance the restrained 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 neighbouring windows are non-residential and situated approximately 15m opposite at Victoria House from which the north-east facing screen would be visible and 43-45 Bloomsbury Square from which the south-west facing screen would be visible; however, it is considered that the screen would not cause light spill from this location and would not have a detrimental effect to the residential amenity.

#### **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. Although it would reduce the effective footway width to 5.25m, it would meet the minimum recommended by the document titled 'Pedestrian Comfort Guidance for London' published by Transport for London.

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 highway and 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 junction of Bloomsbury Square and Vernon Place where the addition of the structure would reduce visibility for pedestrians and partially block sightlines for drivers, on the approach to this junction. The road is restricted one way in the north-east direction with a bus lane in the opposite direction, so drivers would only be turning left at this junction. On balance, the proposal is not considered to have a detrimental impact on public safety.

#### **5. Recommendation**

##### **5.1. Refuse Advertisement Consent as follows-**

The internally illuminated digital screens by reason of their 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 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; DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

