

Delegated Report			Expiry Date:	13/10/2016
Officer			Application Number(s)	
Leela Muthoora			2016/4263/A	
Application Address			Application Type:	
Bus shelter outside 2 Waterhouse Square Holborn London EC1N 7RA			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent and Warning of Enforcement Action	
Proposal(s)				
Display of 2x internally illuminated digital screens to existing bus shelter structure no. 0107/0217 (Retrospective).				
Consultations				
Summary of consultation responses:		No consultation responses received		
Site Description				
<p>The site is an existing bus shelter (stop D) located on the footway on the northern side of Holborn in front of the Grade II* listed building 142 Holborn approximately 20m from the Leather Lane. The site is within the Hatton Garden Conservation Area. The borough boundary with the City of London is directly to the south along the centre reservation of Holborn.</p> <p>Holborn is a dual carriageway with one lane of traffic and a bus lane in each direction. The nearest junctions are at Brooke Street approximately 81m before the shelter to the west and at Hatton Garden approximately 113m to the east and controlled by traffic lights.</p> <p>There are no nearby residential units.</p> <p>The existing bus shelter has an existing digital screen which was installed by the previous operator to the applicant so this application is sought retrospectively.</p>				
Relevant History				
This site-				
ASX0004463 - The display of 2 illuminated poster panels each 1760mm x 1160 forming part of a bus shelter. Granted 22/08/2000				
2011/2637/A - Display of a two-sided internally illuminated advertising panel on side of bus shelter. Granted 19/07/2011				
Other sites-				
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 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

Hatton Garden Conservation Area Statement 1999

Camden Streetscape Design Manual 2005

Transport for London Pedestrian Comfort Level Guidance for London 2010

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 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 1.9m² made of an LCD screen with replacement glazing of 8mm. The screens' luminance levels are capable of 2500cd/m.
- 1.2. 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.
- 1.3. The bus shelter has an existing double-sided forum with digital screens on each side which was installed by the previous operator to the applicant. A double sided internally illuminated advertising panel was granted in 2011. Due to the increased size and level of illumination, the illuminated 'paper' poster signs and the digital screens are considered to be materially different from one another and therefore express consent is required and the displays are assessed as such.

2. Planning considerations

- 2.1. 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. 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 Hatton Garden Conservation Area Statement 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 consists of commercial and business uses; however, the adjacent listed building has no shop fronts or signage. The nearest shop fronts are at 120 Holborn and are set back behind the colonnade, beneath the overhang, reducing their visibility. The bus shelter was granted a double sided internally illuminated advertising panel but due to the increased size and level of illumination the digital screens are considered to be unduly dominant in the immediate vicinity and are prominent in longer views along Holborn. The display occupies a prominent forward position on the footway, despite the busy nature of the area, the displays feature in the foreground in certain street level views of 142 Holborn. Owing to the size and illumination they are prominent in such views, drawing attention away and unduly detracting from the special interest and importance of the building. Overall, it is considered that the

display fails to preserve or enhance the character and appearance of the Conservation Area and detracts from the setting of the adjacent listed building by causing harm to the visual amenity of the immediate locality.

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 and would be illuminated, they can appear visually obtrusive and would have the potential to cause light pollution to neighbouring residential properties. The nearest windows are situated at an approximate distance of 4m at the lower ground and ground floor levels of 138-140 Holborn from which the screens are considered to cause light pollution in the hours of darkness. According to Council records, these windows are to offices and therefore the signs are not considered to have a detrimental effect to the amenity of neighbouring residential occupiers.

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 solid digital display forum is not considered to create a hindrance to the free flow of pedestrian movement on the footpath as the effective footway width is 5.6m, which exceeds the minimum recommended by the document titled 'Pedestrian Comfort Guidance for London' published by Transport for London and would not have a detrimental impact on pedestrian comfort levels on this route.

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 granted advertising panel was a smaller than the digital display forum that is the subject of this application. The increased size and level of illumination means the display is now visible from some distance on Holborn in both directions. The road is restricted one way in the east bound direction with a bus lane to the nearside, is it considered that this would allow time for it to be seen and noted by drivers without causing visual disturbance on the approach to and from the nearest junctions. On balance, the proposal would not have a detrimental impact on public safety.

5. Recommendation

5.1. Refuse Advertisement Consent and Warning of Enforcement Action to be Taken as follows-
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 streetscene, failing to preserve and enhance the character and appearance of the Hatton Garden Conservation Area and harming the setting of the adjacent Grade II* Listed Buildings, 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.

5.2. With respect to the display of the advertisements in place on site there is a warning of enforcement action to be taken.