

Mr Stuart Minty  
SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

Application Ref: **2017/0281/A**  
Please ask for: **Matthias Gentet**  
Telephone: 020 7974 **5961**

6 March 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Advertisement Consent Granted**

Address:

**Bus Shelter outside Whitefield Memorial Congregational Church  
Tottenham Court Road  
LONDON  
W1T 4TB**

Proposal: Display of 1 x internally illuminated digital screen facing inwards to existing bus shelter structure no. CAM00115AB (27/02/2017).

Drawing Nos: CAM000115AB - Site Location Plan, Site Plan, Photos, Elevations (27/02/2017)

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 advertisement displays shall be statically illuminated and the intensity of the illumination of the digital sign shall not exceed 2500 candelas per square metre during the day and 400 candelas per square metre during the hours of darkness 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' 2015. 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 the 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, policies D2, D4, A1 and T1 of the Camden Local Plan Submission Draft 2016, 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 the 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, policies D2, D4, A1 and T1 of the Camden Local Plan Submission Draft 2016 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 the 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, policies D2, D4, A1 and T1 of the Camden Local Plan Submission Draft 2016 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 the 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, policies D2, D4, A1 and T1 of the Camden Local Plan Submission Draft 2016 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, D4, A1 and T1 of the Camden Local Plan

Submission Draft 2016 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, policies D2, D4, A1 and T1 of the Camden Local Plan Submission Draft 2016 and Transport for London Guidance for Digital Roadside Advertising.

Informative(s):

- 1 Reason for granting permission:

The proposed digital screen display unit is 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 advertisement is to replace the existing advertising panel that forms part of the structure of the existing bus shelter. The position of the sign is thus not considered unduly dominant in the street scene. The impact on the visual amenity of the area would not be considered harmful and would therefore preserve the character and appearance of the Charlotte Street and Bloomsbury Conservation areas, and will not harm the setting of the listed building in the vicinity.

Whilst the method of illumination would cause some light spill, the position of the screen on the inside of existing bus shelter structure is positioned facing away from the Whitefield Church. 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.

An objection has been raised by a resident in Southampton Row on the grounds of the proposal would be unduly dominant and visually obtrusive in the street scene, failing to preserve and enhance the character and appearance of the area and harming the setting of the adjacent buildings. The location of the proposal, although within a conservation area, is not in close proximity to any residential units. Tottenham Court Road is a wide thoroughfare and is formed of tall and imposing buildings which dwarf the bus shelter regardless of the new digital display screen in situ. However, Whitefield Church, set back from the main road, is noted in the Charlotte Street Conservation Appraisal as being a positive contributor. As such, having the screen displayed inside of the structure only would minimise any

negative impact on the architectural merit of Whitefield Church. The approval hereby granted will also be significantly conditioned to ensure that the impact of the illumination on the surrounding area is kept to a minimum.

In terms of size, siting and method of illumination the proposal is not considered detrimental to highways safety. As the advertisement would be seen by drivers in moving traffic this permission includes a condition that restricts the display of moving images. On balance, the location of the advertisements within the highways network is not considered to be hazardous to vehicular or pedestrian traffic and therefore raises no public safety concerns.

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

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, under s.66 and 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 DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies of the London Plan 2016; and The National Planning Policy Framework

- 2 The emerging Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

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

*David T. Joyce*

David Joyce  
Executive Director Supporting Communities