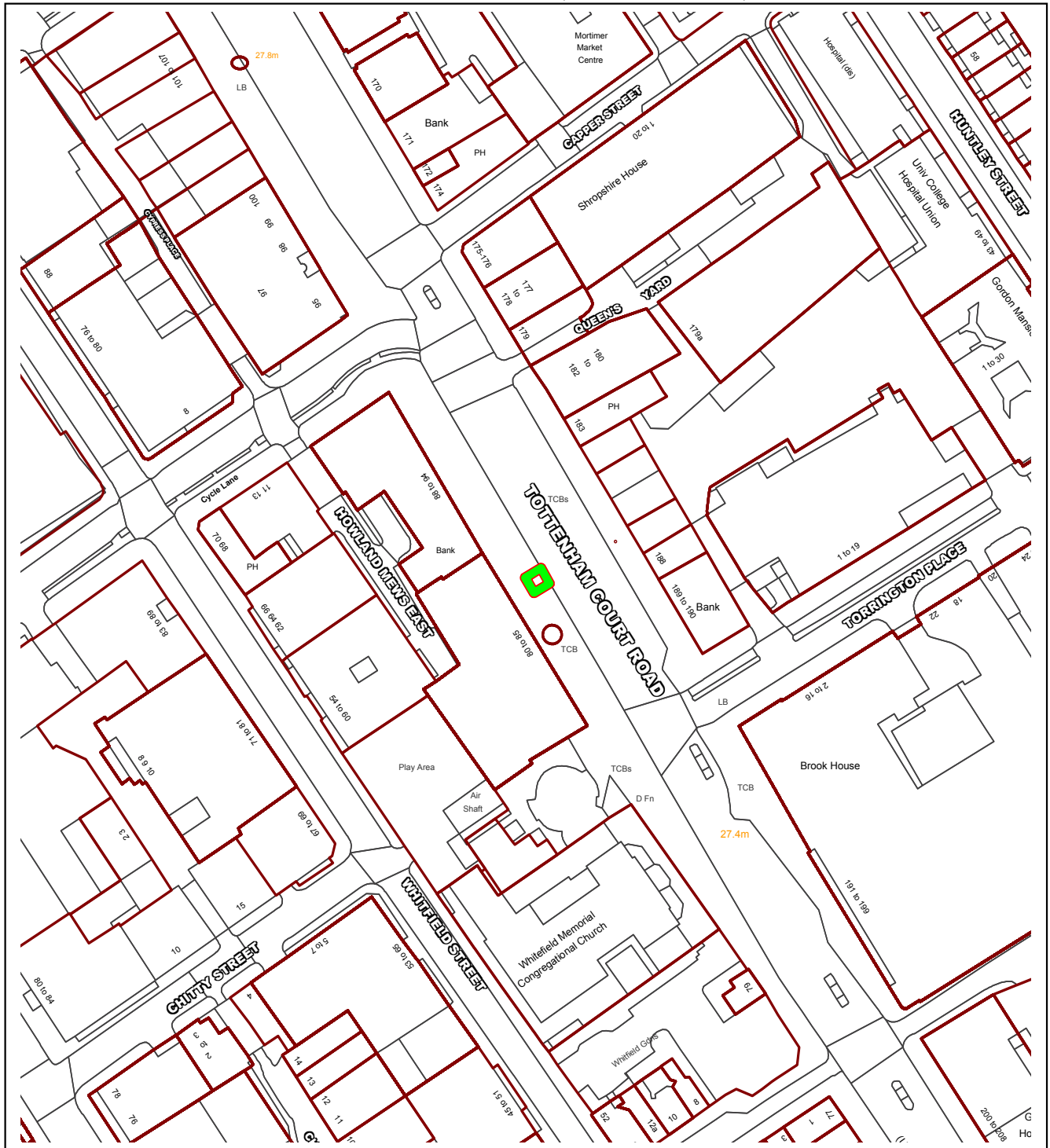


2018/0515/A – Pavement outside 82 Tottenham Court Road, London, W1T 4TF



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Photo 1 (above): View of existing sign and location of proposed sign to be situated in street furniture zone on pavement between existing coffee kiosk and telephone kiosk (looking south-east along Tottenham Court Road)



Photo 2 (above): View of existing sign looking south-east along Tottenham Court Road



Photo 3 (above): Close-up view of existing sign looking east towards Torrington Place



Photo 4 (above): Close-up view of existing sign looking north

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	28/03/2018
		N/A		Consultation Expiry Date:	09/03/2018
Officer			Application Number(s)		
Charlotte Meynell			2018/0515/A		
Application Address			Drawing Numbers		
Pavement outside 82 Tottenham Court Road London W1T 4TF			See Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s) Erection of double-sided freestanding advertisement panel to display 2 x internally illuminated digital advertisements, following the removal of existing freestanding advertisement panel.					
Recommendation(s):		Grant Conditional Advertisement Consent			
Application Type:		Advertisement Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	Site notice	16/02/2018 – 09/03/2018	No. of responses	0	No. of objections	0
Summary of consultation responses:	No responses have been received from the neighbouring properties.					

**Bloomsbury
Association
comments:**

The Bloomsbury Association objected on the following grounds:

1. Submitted information: No Design & Access Statement or context assessment. Accompanying Road Safety Audit only considers the existing road situation and ignores the changes to be brought about by West End Project, which is currently being implemented. In particular, the proposed location on the corner of Stephen Street will obstruct junction visibility once Tottenham Court Road becomes two-way. Pedestrian flow and pavement capacity studies also ignore the increased flows anticipated from Crossrail and HS2. Should the Council proceed to determine the application on the basis of misleading or out of date information, the decision may be regarded as unsound. *(Officer response: The submission of a Design and Access Statement is not required for advertisement consent applications; the application site is not located on the corner of Stephen Street; see section 5 of the report for discussion on the Transport and public safety impacts of the scheme, including an assessment of the submitted Road Safety Audit)*
2. Street clutter: Pavement space adjacent to Warren Street, Goodge Street and Tottenham Court Road Underground stations all has high footfall and is particularly congested and cluttered. Huge increase in pedestrian footfall on Tottenham Court Road expected when Crossrail I and II, and HS2 become operational. Previously expressed concern to the Council that not enough has been done to deal with removal of existing street/pavement clutter, including the various unsightly, ad hoc structures that occupy the public realm. Proposal will add more clutter, further obstruct pedestrian flow and add to what is already an appalling environment for pedestrians and a serious safety hazard. *(Officer response: see paragraphs 5.3-5.4 of the report)*
3. Heritage concerns: No consideration is given to the impact of the appearance of the kiosks from the neighbouring conservation areas of Fitzroy Square, Bloomsbury and Hanway Street. *(Officer response: see paragraph 4.3 of the report)*
4. Public open space: The Fitzrovia Area Action Plan highlights the severe deficiency in public space provision in the area. Of the existing public open space, 80% is on streets and footpaths. This is complemented by new and improved open spaces at St Giles Circus, in Windmill Square, Whitfield Gardens and Tottenham Court Walk and it is an inappropriate balance of priority that this space should be cluttered by advertising, serving a commercial purpose. Open space is a civic amenity to be enjoyed by all. *(Officer response: see paragraphs 5.3-5.4 of the report)*
5. Visual amenity and Anti-Social Behaviour (ASB): Tottenham Court Road is visually congested and has been declared the worst street in London. A video was prepared for Council Members by the local community in 2010: 'Tottenham Court Road: Great Street or Great Embarrassment?' We submit this in support of our comments. It is available at this link: <http://www.youtube.com/watch?v=DesqbmDcyZ4> On Tottenham Court Road there are 35 existing telephone kiosks, all with advertising. Seven more are proposed (2018/0309-12/P, 0315/P, 0331/P and 0333/P) some of which are located very close to these

proposals advertising boards. All make an unsightly contribution to the street scene and encourage crime and anti-social behaviour; some are also used as urinals and present a health hazard. There is no need for more of the same. (*Officer response: see paragraphs 4.1-4.5 and 5.8 of the report*)

6. West End Project: We note that the application is to replace existing advertising. No management or maintenance plan accompanies the application. Tottenham Court Road is excessively cluttered with street furniture and is subject to major public realm renewal as part of the Council's West End Project, which was approved by Camden Council Cabinet on 21 January 2015. The application does not acknowledge this and we see no information submitted to explain how these proposals will be integrated into the Council's highway, urban realm and landscape proposals for the West End Project. Construction work has now commenced to implement the West End Project and any proposal such as this should be a part of and coordinated with the Project's overall public realm strategy and not something that is counter to its objectives, the first of which to be implemented is decluttering the area, ie removing, not replacing old municipal clutter with new clutter. Councillor Harrison, Cabinet member for improving Camden's environment, has commented in Fitzrovia News 4 March 2018: "This part of the West End deserves the ambition that Camden and Transport for London are showing for it. With the opening of the new Elizabeth Line station, the West End Project will create new public spaces for residents, local workers and visitors, making the area safer, greener and good for business... We will finally be able to sweep away nasty street clutter like old railings and the many redundant phone boxes, which cause such a blight." Let's see Camden's planning application reflecting and not conflicting with its Cabinet's ambitions. (*Officer response: The submission of a management or maintenance plan is not a requirement of advertisement consent applications; see paragraphs 5.4 and 5.7 of the report*)

Transport for London (TfL) comments:	TfL have provided the following comments on the application: • The site of the proposed development is on Tottenham Court Road, which forms part of the Strategic Road Network (SRN). TfL have a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. • The proposed advertisement panel should operate at appropriate illumination levels for day and night time, consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015). This should be secured by condition. (<i>Officer response: see paragraph 4.4 of the report</i>) • There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. This should be secured by condition. (<i>Officer response: see paragraph 5.6 of the report</i>) • Subject to the above conditions being met, TfL has no further comments.
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Site Description

The application site is located on an area of the pedestrian footway on the south-western side of Tottenham Court Road, adjacent to No. 82 Tottenham Court Road and opposite No. 187 Tottenham Court Road. The wider area is predominantly commercial in nature.

The site does not lie within a conservation area and it is not adjacent to any listed buildings; however, it is within close proximity of the Charlotte Street and Bloomsbury Conservation Areas. It is located within the Central London Area and within the area of the Fitzrovia Area Action Plan.

Tottenham Court Road is currently one-way for vehicular traffic in the northbound direction and the speed limit is 20 miles per hour. However, Tottenham Court Road is to be amended to two-way road for vehicular traffic, including buses and cyclists only during certain times of the day. These works which commenced on Tottenham Court Road on 5th March 2018 will be delivered as part of the West End Project, a £35M package of measures which will transform the public realm on Tottenham Court Road, Gower Street, New Oxford Street and various other streets in the West End.

Relevant History

Relevant applications in the surrounding area:

80-81 Tottenham Court Road

2009/1037/P – Installation of telephone kiosk on the public highway. **Prior Approval refused 19/05/2009**

Land adjacent to 80-85 Tottenham Court Road

2018/0312/P – Installation of 1 x telephone kiosk on the pavement. **Prior Approval refused 15/03/2018**

2017/1199/P – Installation of 1 x telephone box. **Prior Approval refused 07/04/2017**

Land adjacent to 90 Tottenham Court Road

2018/0333/P – Installation of 1 x telephone kiosk on the pavement. **Prior Approval refused 15/03/2018**

2017/1026/P – Installation of 1 x telephone box on the pavement. **Prior Approval refused 07/04/2017**

Relevant policies

National Planning Policy Framework (2018)

London Plan (2016)

Draft New London Plan (2017)

Transport for London's Guidance for Digital Roadside Advertising (2013)

Camden Local Plan (2017)

D4 – Advertisements

Camden Planning Guidance

CPG1 – Design (2015; updated 2018)

Fitzrovia Area Action Plan (2014)

Camden Streetscape Design Manual (2005)

TfL's Pedestrian Comfort Guidance for London (2010)

Assessment

1. Proposal

- 1.1 The proposed scheme is to replace the existing freestanding advert with a smaller freestanding advert panel which would measure 1.048m wide x 2.285m high x 0.33m deep (see images below in paragraph 4.1). The structure would be positioned horizontally across the pavement.

2. Assessment

- 2.1 The main issues for consideration are:

- Visual Amenity
- Transport and Public Safety

3. Advert Policy

- 3.1 The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications. Therefore, the principal considerations material to the determination of this application are visual amenity and public safety.
- 3.2 Policy D4 of the Local Plan states that advertisements must respect the form, fabric, design and scale of their setting and host building and be of the highest standard of design, material and detail. The Council will resist adverts that contribute to an unsightly proliferation of signage in the area, clutter, cause light pollution to nearby residential properties, have flashing illuminated elements; impact upon public safety.
- 3.3 Policy D4 of the Local Plan states that advertisements will not be considered acceptable where they impact upon public safety, including when they:
- Obstruct or impair sight lines to road users at junctions and corners;
 - Reduce the effectiveness of a traffic sign or signal;
 - Result in glare and dazzle or distract road users;
 - Distract road users because of their unusual nature;
 - Disrupt the free flow of pedestrian movement; or
 - Endanger pedestrians forcing them to step on to the road.
- 3.4 CPG1 (Design) states that advertisements should take into account the appearance of the surroundings and that any advertising on street furniture would not normally be accepted where they contribute to visual and physical clutter and create a hindrance to movement along the pavement or pedestrian footway.

4. Visual Amenity

- 4.1 The proposed freestanding advert panel would be constructed of steel and aluminium with toughened glass as shown below: existing advert (top) and photomontage (bottom) of new advert.



- 4.2 The existing unit is of an irregular shape and is located on the pavement outside No. 80 Tottenham Court Road. The unit has a circumference of 5.67m, and the main structure measures 4.1m in height, with the total height of the structure including the clocks and spire above measuring 5.87m. The proposal would remove this unit and a replacement panel measuring 1.048m wide x 2.285m high x 0.33m deep would be installed approximately 24.8m to the north-west along Tottenham Court Road, on the pavement outside No. 82 Tottenham Court Road. The proposed advert panel would have a simple design, which would not be considered unduly dominant in the streetscene in this commercial Central London location. The proposed advert panel would be 1.8m lower in height than the main structure of the existing unit, and 3.6m lower in height than the overall height of the existing unit. The proposal would also result in a reduction in the overall footprint when compared to the existing unit, resulting in a more slender appearance. The structure would be sited on a section of pavement 9.0m wide, set away from the commercial units, and as it would replace an existing advertisement unit, there would be no cumulative increase in signage. As such, it is considered that the proposed panel would be of a scale and size that respects, and is appropriate to, its setting, and would not be considered harmful to the streetscene.
- 4.3 The application site is not located within a conservation area or adjacent to any listed buildings. The boundary of the Bloomsbury Conservation Area (CA) extends around the buildings directly

opposite the site on the north-eastern side of Tottenham Court Road, and the boundary of the Charlotte Street Conservation Area (CA) extends to the south-east of the site, in line with the flank fenestration of No. 80 Tottenham Court Road. Given the distance between the application site and the boundary of the conservation area, it is not considered that the proposed digital advert panel would have a detrimental impact on the character and appearance of either the Bloomsbury CA or the Charlotte Street CA.

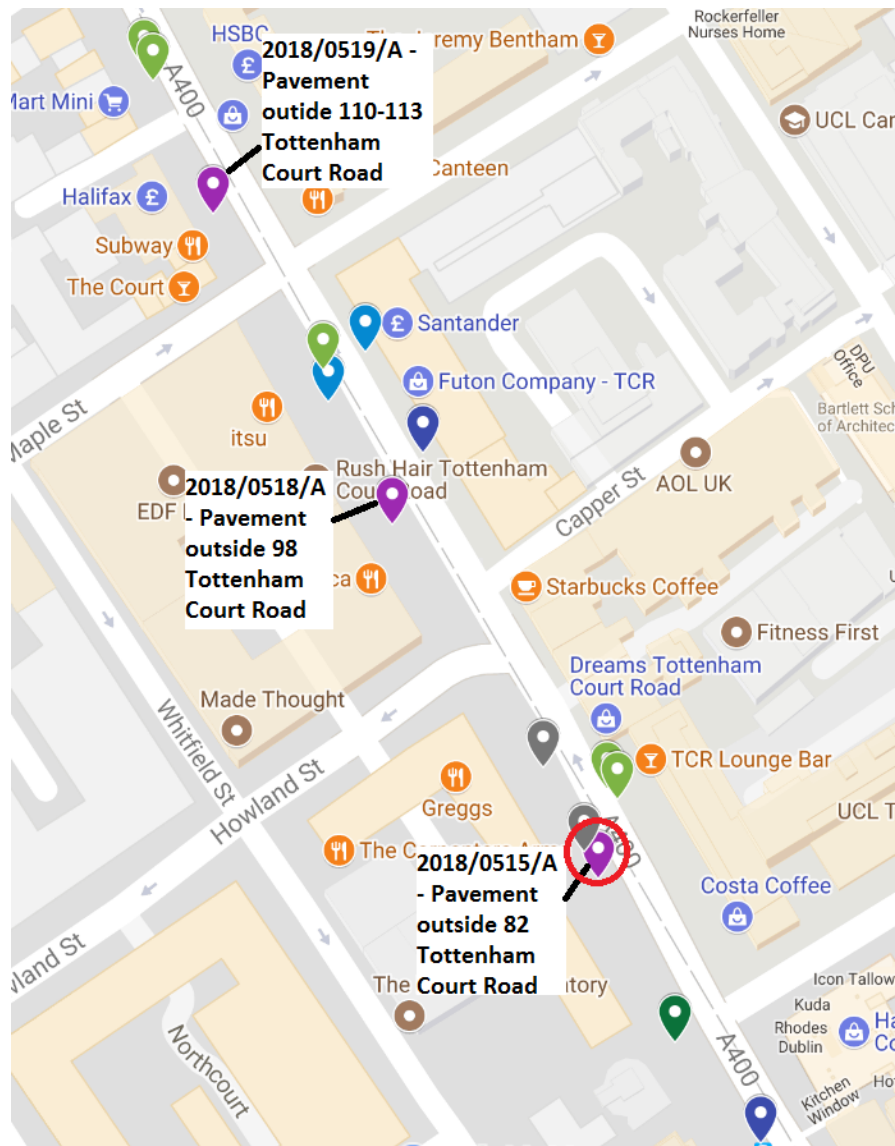
- 4.4 Tottenham Court Road has a predominantly commercial character, with a diverse range of shops and food establishments and associated signage, including illumination. It is accepted that all advertisements are intended to attract attention and the internally illuminated advertising panels form an integral part of the structure. To mitigate any impact on the locality, lower levels of illumination and restrictions on the rate of change of the display would be secured by condition to reduce the impact of the display. The advert would be static, with controlled times of how long one image can be displayed and controls on the change over time between each advert. In addition, it is recommended that the luminance level is limited to 400 candelas at night (below that recommended by 'The Institute of Lighting Professionals' 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements' 2015) and 2,500 candelas during the day to ensure that the visual impact of the addition on the wider area is limited. These measures would ensure that the digital advert panel would not be unduly dominant or have a detrimental impact on the character and appearance of the neighbouring buildings or the streetscene.
- 4.5 Overall, whilst the design of the proposal is considered to be more modern than the existing advert, by reason of its detailed design, reduced footprint and high quality materials it is not considered to be an intrusive addition to the street, and as such would comply with policy D4.

5. Transport and public safety

- 5.1 The site is located on the south-western pedestrian footway of Tottenham Court Road (A400). Tottenham Court Road forms part of the strategic road network (SRN) and so whilst Camden Council is the highways authority, Transport for London (TfL) has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.
- 5.2 An independent road safety audit was undertaken in support of the application, and did not raise any concerns with the design or proposed location of the replacement sign at the same location as the existing sign. However, the proposed sign has since been relocated approximately 24.8m north of the existing advert in order to remove conflict with a new pedestrian crossing which is to be introduced on Tottenham Court Road in the general vicinity of the existing sign as part of the West End Project.
- 5.3 The replacement sign would be 1.05m wide and would be located in a defined street furniture zone adjacent to the kerbside. The proposal was originally offset from the kerb by 0.8m. Revisions were received reducing the kerb clearance from 0.8m to 0.5m to comply with Camden's Streetscape Design Manual. The proposal would be set away 7.35m from the front building line of the adjacent building. The effective footway width would be increased nominally as a result of the proposal. The Council's Transport Planner has confirmed that the proposal would not therefore have a significant impact on pedestrian amenity, comfort or safety.
- 5.4 A concern was raised about the advert creating clutter and reducing open space in the area. Policy C4 states that the Council will resist advertisements where they would contribute to or constitute clutter or an unsightly proliferation of signage in the area, and when they would have a detrimental impact on pedestrian amenity, comfort or safety and road safety generally. However, it is noted in this case that the proposal would replace an existing sign with a sign with a reduced footprint in a slightly altered location which improves highway safety. As

the proposed advert panel would be slender with a depth of 0.3m, it is therefore considered that it would not have a significant impact on kerbside activity or impede pedestrians wishing to cross the road at this location.

- 5.5 The existing advert would be removed to facilitate the installation of the proposed digital advert panel (purple outlined in red in the map below). There are two other replacement advert panels proposed along this section of Tottenham Court Road (shown in purple on the below map), and 2 x other proposed replacement panels to the south-east on the pavement outside Nos. 28-29 and 18 Tottenham Court Road (not shown on the map below).



Key:

- Application Site
- Proposed replacement adverts
- Approved phone kiosks
- Approved digital advert panels
- Phone Kiosk/Adverts to be removed under approved schemes
- Refused phone kiosks

Map 1 (above): Showing the location of the 3 x proposed replacement advert panels within close proximity along Tottenham Court Road

- 5.6 In terms of size, siting and method of illumination the proposal is not considered to be detrimental to highways safety. The double sided panel would form an integral part of the structure and would be located at an appropriate distance from road junctions. As the digital advert panel would be seen by drivers in moving traffic, the proposal would be subject to conditions to restrict the display of moving images, restrict the display of any adverts which resemble traffic signs, and restrict the emission of music, sound, smell or smoke from the adverts. The control of the illumination levels of the digital panels by condition as suggested in paragraph 4.4 above would also remove any potential for glare which could be hazardous to road users between dawn and dusk. Therefore, on balance, the proposal is not considered to constitute a distraction or hazard to vehicular or pedestrian traffic and raises no public safety concerns.
- 5.7 As highlighted in the 'Site Description' section above, works to convert Tottenham Court Road into a two way road for vehicular traffic and enhance the public realm are currently underway as part of the West End Project. As such, an informative has been attached as a reminder that the exact location of the proposed sign needs to be agreed with the Council's Highways department and West End Project team prior to implementation. This is necessary to allow for amended kerb lines to be delivered via the West End Project, while also allowing for the offset requirement of 0.45 – 0.5m in accordance with Camden's Streetscape Design Manual.
- 5.8 A concern has been raised about the new advert creating issues of anti-social behaviour (ASB). However, in this location the unit would be sited in a commercial Central London location where there will be sufficient natural surveillance. In addition due to its detailed design and small footprint it is not considered to create additional issues of ASB in the area.

6. Conclusion

- 6.1 The proposals have been revised following close consultation with the Council's transport team and conservation officers. They replace an existing advert with one of a sleeker design and smaller footprint in a location which would improve highway safety and the free flow of pedestrians, and would not add to the number of items of local street furniture and would not create additional street clutter. The proposed location on a suitable wide section of pavement in a commercial Central London location where there are other examples of advertisements, including digital advertisements, is considered to be appropriate. The advertisements are considered to be of an appropriate scale and integral to the structure, and subject to controls to their siting, luminance and changing mechanisms, they would not have a detrimental impact on visual amenity or public safety.

7. Recommendations

- 7.1 Grant Conditional Advertisement Consent.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 13th August 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

SM Planning
80-83 Long Lane
London
EC1A 9ET

Application Ref: **2018/0515/A**
Please ask for: **Charlotte Meynell**
Telephone: 020 7974 **2598**

7 August 2018

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:

**Pavement outside 82 Tottenham Court Road
London
W1T 4TF**

DECISION

Proposal: Erection of double-sided freestanding advertisement panel to display 2 x internally illuminated digital advertisements, following the removal of existing freestanding advertisement panel.

Drawing Nos: Location Plan, Site Plan, Existing Site Photos, Elevations, Photomontage (all received 31/05/2018), Road Safety Audit (prepared by AECOM, dated December 2017), Cover Letter (prepared by SM Planning, dated January 2018).

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

Conditions and Reasons:

- 1 Prior to the installation of the advert hereby approved, the existing free standing advert shall be removed and surrounding area made good.

Executive Director Supporting Communities



Reason: To ensure that the development does not contribute to street clutter and hinder free flow of pedestrians in accordance with the requirements of policy D4 of the London Borough of Camden Local Plan 2017.

- 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 display shall be statically illuminated and the intensity of the illumination of the digital signs 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 signs 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 streetscene 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 policy D4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 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 streetscene 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 policy D4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 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 streetscene 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 policy D4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 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 streetscene 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 policy D4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 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 policy D4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 11 No music, sound, smell or smoke shall be emitted from the advertisements.

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 policy D4 of the London Borough of Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 12 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.

Informative(s):

- 1 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for the timescale, scope and method of works for the removal of the existing equipment and installation of the new equipment prior to commencement of work on site, to ensure that the development does not conflict with the highways works involved in the West End Project. Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email highwayengineering@camden.gov.uk.

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

Director of Regeneration and Planning

DECISION