

Application ref: 2019/4415/A
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Mr Nicholas Foxon
991 Great West Road
Brentford
TW8 9DN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:

Site outside 171 Tottenham Court Road
London
W1T 7DL

Proposal:

Display of double-sided internally illuminated digital screens within relocated bus shelter.
(Retrospective).

Drawing Nos: Bus shelter package CAM0172AB

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 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 600 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 this part of the Bloomsbury Conservation 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 A1, D2, D4 and T1 of the 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 this part of the Bloomsbury Conservation 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 A1, D2, D4 and T1 of the 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 this part of the Bloomsbury Conservation 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 A1, D2, D4 and T1 of the 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 this part of the Bloomsbury Conservation 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 A1, D2, D4 and T1 of the 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 policies A1, D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 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 A1, D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

Informative(s):

- 1 Reason for granting permission-

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. The proposed adverts require consent due to the size and internal illumination of the digital screens. The Regulations permit the Council to only consider amenity and public safety matters in determining advertisement consent applications.

A double digital display unit integral to the bus shelter was granted consent in a position approximately 3 metres from the existing location under reference: 2016/3878/A. Due to wider street works in the area the shelter was installed in the existing position, as a result, this application seeks retrospective advertisement consent.

The digital screen display units are considered acceptable in terms of their size, design, location and method of illumination. They are in a typical position for an advertisement panel that forms part of the integral structure of a bus shelter structure. In the wider street scene, the advertisements are not considered unduly dominant in this busy Central London location. The signs are not considered to cause harm to the visual amenity of the street scene as there is a variety of existing illuminated signage in the vicinity which would ensure no harm is caused to the character and appearance of this commercial part of the Bloomsbury Conservation area.

Whilst the method of illumination causes some light spill, the screens are positioned at an appropriate distance facing away from the nearest neighbouring occupiers which are currently non-residential use. 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.

In terms of size, siting and method of illumination the proposal is not considered detrimental to highways safety. The double sided panel would form an integral part of the existing bus shelter structure and would be located at an appropriate distance from road junctions and allow for an effective footway width. As the advertisement would be seen by drivers in moving traffic this decision includes a condition that restricts the display of moving images. On balance, the advertisements are not considered to be hazardous to vehicular or pedestrian traffic and therefore raise no public safety concerns.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (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 A1, D2, D4 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and National Planning Policy Framework 2019.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice in regard to your rights of appeal at:

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is centered on the page.

Daniel Pope
Chief Planning Officer