



Sainsbury's Supermarkets Ltd

**APPEAL AGAINST REFUSAL OF
ADVERTISEMENT CONSENT AT 131-143
BELSIZE ROAD, CAMDEN, NW6 4AD
(LPA REF. 2020/2466/A)**

Statement of Case on behalf of the Appellant





Sainsbury's Supermarkets Ltd

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ADVERTISEMENT CONSENT AT 131-143
BELSIZE ROAD, CAMDEN, NW6 4AD (LPA
REF. 2020/2466/A)**

Statement of Case on behalf of the Appellant

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ADVERTISEMENT CONSENT AT 131-143
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Statement of Case on behalf of the Appellant

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QUALITY CONTROL

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EXECUTIVE SUMMARY

This Statement has been prepared on behalf of the appellant, Sainsbury's Supermarkets Ltd, against the part refusal of advertisement consent by the London Borough of Camden (the LPA) for the installation of advertisements at the approved ground floor supermarket unit at 131-143 Belsize Road, Camden, NW6 4AD. The advertisement application reference number is 2020/2466/A.

Signs 7 and 8 have been refused on grounds of visual amenity. The Council write the following as the reason for refusal:

“The proposed advertisements (signs 7 and 8), by virtue of their siting and illumination, would be incongruous and out of keeping given the character of the locations, and would introduce visual clutter detrimental to the character and appearance of the host building and wider streetscene, contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017”.

The proposed adverts are necessary for the day-to-day operation of the store by advertising its presence to customers. The adverts provide clear directional aid for customers to ensure a comfortable shopping experience.

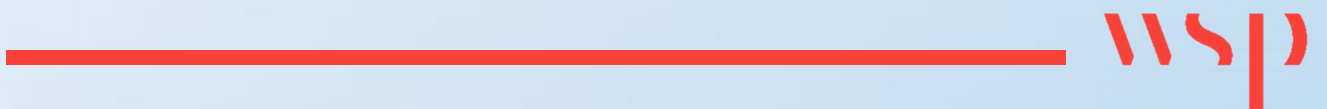
It is considered that the proposed signs (Sign 7 and 8) do not clutter or dominate the building or result in an excessive number of adverts overall. We conclude that the proposed signs do not result in harm to the character and appearance of the area and are acceptable on amenity grounds, as set out in paragraph 132 of the NPPF.

It is clear the proposed advertisements adhere to national policy and guidance, as set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the NPPF, and the PPG, which states that unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused.

We therefore respectfully request that the appeal is allowed.

1

INTRODUCTION



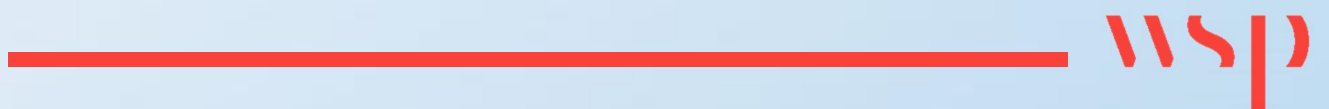
1 INTRODUCTION

- 1.1. This Statement has been prepared on behalf of the appellant, Sainsbury's Supermarkets Ltd, against the part refusal of advertisement consent by the London Borough of Camden (the LPA) for the installation of advertisements at the approved ground floor supermarket unit at 131-143 Belsize Road, Camden, NW6 4AD. The advertisement application reference number is 2020/2466/A.
- 1.2. The LPA refused advertisement consent on 23 July 2020 for two specific adverts (Signs 7 and 8) under delegated powers. The decision notice and delegated report have been provided at **Appendix A** and **Appendix B** respectively.
- 1.3. The refusal refers to the display of a double sided internally illuminated (lettering only) projecting sign (Sign 7) and an internally illuminated fascia lettering sign (Sign 8) only. These advertisements are illustrated on the following drawings:
 - i Proposed Elevations (drawing ref. P-128229-210 rev E);
 - i Proposed Signage Details (drawing ref. P-128229-213 rev B); and
 - i Proposed Signage Plan (drawing ref. P-128229-214 rev A).
- 1.4. Signs 7 and 8 are the advertisements which are subject of this appeal.
- 1.5. The LPA's cited reason for refusal is as follows:

"The proposed advertisements (signs 7 and 8), by virtue of their siting and illumination, would be incongruous and out of keeping given the character of the locations, and would introduce visual clutter detrimental to the character and appearance of the host building and wider streetscene, contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017".
- 1.6. There is a difference of opinion between the LPA and the appellant on the acceptability of these adverts, which has necessitated submission of this appeal.
- 1.7. It is considered these advertisements hold significant importance in providing directional aid for prospective shoppers. These types of advertisement are commonplace at supermarkets, food stores and other shops across the country.
- 1.8. The site is set within the ground floor unit of the Belsize Road Car Park redevelopment site, which was allocated within Camden's Policies Map at Site 31. The site is not located within a conservation area and the proposed adverts do not harm the visual amenity of the area.
- 1.9. This Statement will address the reasons for refusal and demonstrate that the adverts are acceptable within the context of the relevant planning policy framework.
- 1.10. The Statement is structured as follows:
 - i Section 2 sets out the context for the site;
 - i Section 3 identifies the relevant planning policy framework in which this appeal will be considered;
 - i Section 4 sets out the Grounds of Appeal; and
 - i Section 5 sets out our conclusions in respect of this Appeal.

2

SITE AND CONTEXT

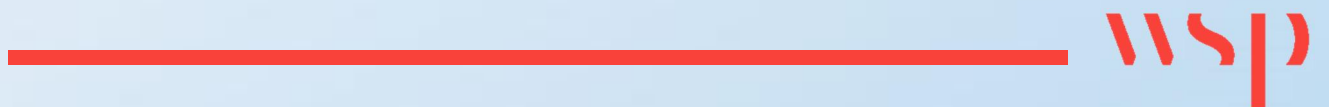


2 SITE AND CONTEXT

- 2.1. The site is located at 131-143 Belsize Road, Camden, immediately south of the junction where Belsize Road adjoins Abbey Road. The site is bound by railway tracks to the south, residential development to the east and west, with a health centre and community centre immediately north. The surrounding area is very urban in character.
- 2.2. The site is set within the ground floor unit of the Abbey Road development site, which, on 16 May 2014, received approval for a phased redevelopment to provide mixed commercial and residential uses. This included 522.5 sqm of retail floorspace (Class A1) and 398.9 sqm of flexible commercial floorspace (Classes A1-A5 and B1) at ground floor level (LPA ref. 2013/4678/P).
- 2.3. The Sainsbury's store will be a key driver of custom and footfall at this location and will be a significant amenity for residents of the Abbey Road redevelopment scheme and other local residents. The important economic contribution of the store is also a key consideration.
- 2.4. The site is not located within a conservation area; however, it is in close proximity to the Priory Road and Alexandra Road conservation areas. There are no listed buildings on, or in close proximity to, the site.

3

PLANNING POLICY AND GUIDANCE



3 PLANNING POLICY AND GUIDANCE

- 3.1. The following Section sets out the key policies which should be considered as part of this appeal. All relevant policies have been provided in full at **Appendix C**.

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

- 3.2. Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.
- 3.3. Under Paragraph: 026 Reference ID: 18b-026-20140306 of the Planning Practice Guidance (PPG), this is recognised this to mean that unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary or offensive to public morals.

NATIONAL PLANNING POLICY FRAMEWORK 2019 (NPPF)

- 3.4. The NPPF sets out how the planning system will contribute to achieving sustainable development. In order to facilitate this, planning must not simply be about scrutiny, but a creative exercise in finding solutions to improve the places in which we live our lives.
- 3.5. To achieve this paragraph 11 includes a 'presumption in favour of sustainable development' for both plan making and decision taking. This means approving proposals that accords with the development plan without delay.
- 3.6. The Government is also committed to supporting economic growth, with paragraph 80 stating:
- "Planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for growth".*
- 3.7. Paragraph 132 of the NPPF sets out that advertisements should be subject to control only in the interests of amenity and public safety, considering cumulative impacts.

THE LONDON PLAN (2016)

- 3.8. The current London Plan (2016) is the adopted Development Plan and forms the basis of current policy.
- 3.9. Policy 4.8 states that the Mayor will support a successful, competitive retail sector which promotes sustainable access to the goods and services that Londoners need.

THE LONDON PLAN – INTEND TO PUBLISH (2019)

- 3.10. The 'Intend to Publish' London Plan was published in December 2019 and sets out the emerging policies that will shape the way London develops over the next 20-25 years.
- 3.11. Under policy E9, it states that development proposals should support convenience retail that secures inclusive neighbourhoods and a sustainable pattern of provision.
- 3.12. Policy D8 meanwhile states that lighting, including for advertisements, should be carefully considered and well-designed.

LONDON BOROUGH OF CAMDEN LOCAL PLAN (2017)

- 3.13. The Camden Local Plan (2017) is the key strategic document in Camden's development plan. It sets out the vision for shaping the future of the Borough and contains policies for guiding planning decisions.
- 3.14. Policy A1 seeks to limit the impact of development and protect the quality of life of occupiers and neighbours. It states that permission for development will be granted unless this causes unacceptable harm to amenity.
- 3.15. Policy C5 sets out Camden's aim to make the Borough a safer place. It requires developments to demonstrate that design principles have been incorporated which contribute to community safety and security.
- 3.16. Policy E2 meanwhile encourages the provision of employment premises and sites in the borough. The Council will protect premises that are suitable for continued business use.
- 3.17. Policy D1 requires development that secure high quality design. The Council requires development that respects the local context and character, is secure and designed to minimise crime and antisocial behaviour, and which integrates well with the surrounding streets and contributes positively to the street frontage.
- 3.18. Policy D4 sets out 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 advertisements that contribute to an unsightly proliferation of signage in the area and which impact upon public safety.

- 3.19. Policy G1 states that the Council will create the conditions for growth to deliver the facilities that meet Camden's identified needs and harness the benefits for those who live and work in the borough.
- 3.20. Policy T1 seeks to promote sustainable transport by prioritising walking, cycling and public transport in the borough. It sets out that in order to improve the pedestrian environment, development should be easy and safe to walk through.

CAMDEN PLANNING GUIDANCE (CPG)

CPG ADVERTISEMENTS (2018)

- 3.21. Camden's planning guidance on advertisements provides advice on the design and siting of advertisements so that they contribute positively to the appearance and character of the area.
- 3.22. In general, the most satisfactory advertisements are those which take account of:
- i The character and design of the property;
 - i The appearance of its surroundings; and
 - i The external fabric of the host building.
- 3.23. Advertisements and signs should respect the form, fabric, design and scale of the host building and setting. All signs should serve as an integral part of the immediate surroundings and be constructed of materials that are sympathetic to the host building and the surrounding area. Interesting and unique styles of advertisements and signs will be considered acceptable where they are compatible with the host building and surrounding environment.

CPG DESIGN (2019)

- 3.24. Camden's planning guidance provides advice on achieving design excellence. Camden is committed to excellence in design and schemes should consider:
- i The context of a development and its surrounding area;
 - i The design of the building itself;
 - i The use and function of buildings;
 - i Using good quality sustainable materials;
 - i Creating well connected public spaces and good quality public realm;
 - i Opportunities for promoting health and well-being; and
 - i Opportunities for improving the character and quality of an area.
- 3.25. In specific relation to shopfronts, Camden's planning guidance sets out that:
- i Shopfronts should be designed to a high standard and should consider the character and design of the building and its context;

- i Shopfronts in newly designed buildings should be designed to integrate well with the surrounding area and contribute positively to the public realm; and
- i Vibrant and well-designed shopfronts animate and activate the street scene and contribute to creating healthy places.

CPG AMENITY (2018)

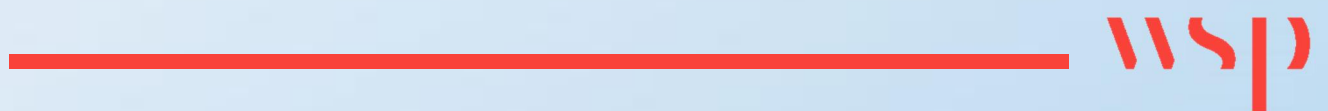
- 3.26. Camden's planning guidance sets out that standards of amenity are major factors in the health and quality of life of the borough's residents, workers and visitors and fundamental to Camden's attractiveness and success.
- 3.27. In relation to artificial light (such as illuminated advertisement), the guidance states that artificial lighting should be considered at the design stage and not affect the amenity of neighbours and wildlife.

CPG TRANSPORT (2019)

- 3.28. Camden's planning guidance on transport seeks to provide information on all types of detailed transport issues within the borough.
- 3.29. Chapter 7 sets out that users of the highway network need clear views and that applications where sightlines are obstructed resulting in a detrimental impact on safety will be unacceptable.
- 3.30. Chapter 9, meanwhile, states that all developments must have due regard to the safety, ease of movement and the quality of pedestrian and cycle facilities for people moving to and within a site.

4

GROUNDS FOR APPEAL



4 GROUNDS FOR APPEAL

- 4.1. As set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and paragraph 132 of the NPPF, advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 4.2. The Council has **not** raised any concerns within the decision notice or officers' report in respect of public safety. Indeed, the Council write:
- "All proposed signage (signs 1, 2, 6, 7 and 8) is not considered to be harmful to either pedestrian or vehicular traffic and would unlikely introduce any undue distraction or hazard in public safety terms. The proposals therefore raise no public safety concerns".*
- 4.3. Further, the Council have **not** raised any issue in respect of residential amenity, stating within their officers' report:
- "All proposed signage (signs 1, 2, 6, 7 and 8) would not cause any harm to neighbouring residential amenities in terms of light pollution or outlook".*
- 4.4. As such, the grounds of appeal **only** address the issue of visual amenity. The Council write the following as the reason for refusal:
- "The proposed advertisements (signs 7 and 8), by virtue of their siting and illumination, would be incongruous and out of keeping given the character of the locations, and would introduce visual clutter detrimental to the character and appearance of the host building and wider streetscene, contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017".*

CONTEXT

- 4.5. As noted within Section 2, the Sainsbury's store serves an important role within the wider Abbey Road redevelopment. The store will be a crucial amenity for local residents and thus it is important that appropriate levels of advertisement are present to provide directional aid for shoppers who will be approaching the store from different directions.
- 4.6. Overall, it is considered that, despite its significance as a store within the redevelopment, the proposed advertisements are subordinate on the elevation and would not be visually prominent within the streetscape. It is within this context that the proposals must be considered.

OVERALL JUSTIFICATION FOR THE PROPOSED ADVERTS

- 4.7. As discussed, the Sainsbury's store is to be located on the corner of the junction where Abbey Road meets Belsize Road. Due to its siting, it is necessary for the store to advertise on each of its elevations to appropriately direct shoppers arriving from Belsize Road and Abbey Road, as depicted in **Figures 4-1** and **4-2** below.
- 4.8. Within the context of the new mixed-use redevelopment scheme, none of the adverts appear as unduly dominant or incongruous features. Indeed, none of the adverts are particularly visible or prominent within the context of the wider area. The adverts would be visible to passers-by in the immediate area of the site entrance, but none of these is so large or dominant as to appear out of place.
- 4.9. The signs are therefore considered to adhere to Local Plan Policy D1 and D4, which requires advertisements to achieve high quality design that integrates and enhances its surroundings, and which does not contribute to unsightly proliferation of signage or street clutter.
- 4.10. It is worth noting that the officers' report does not identify any objections to any of the proposed adverts. This provides further indication that the appeal proposals will not, and do not, adversely impact upon the amenity nor the character and appearance of the local area.
- 4.11. It is clear the proposed advertisements adhere to national policy and guidance, as set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the NPPF, and the PPG, which states that unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused.
- 4.12. The proposed adverts are a crucial element of the operations of the retail store. It clearly constitutes sustainable development that will support economic growth within the local area.

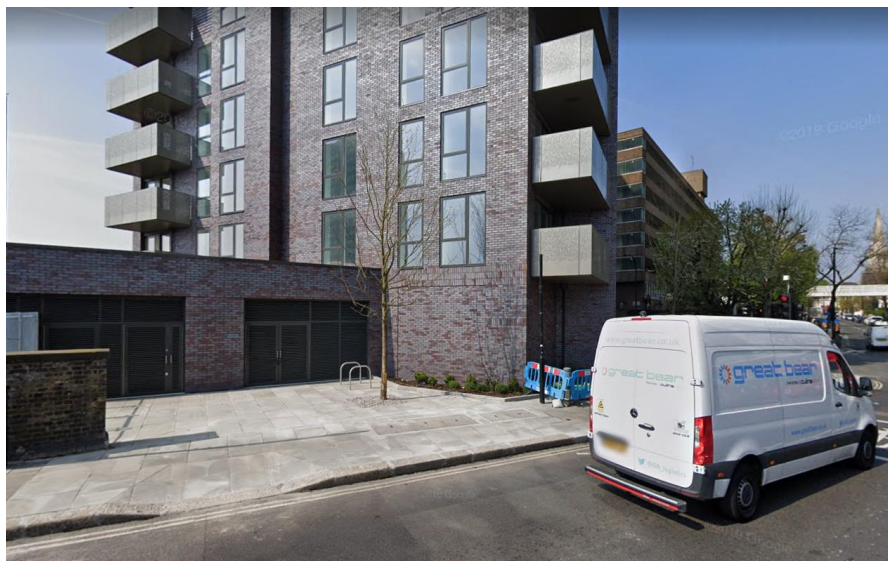


Figure 4-1 - East Elevation



Figure 4-2 - North East Elevation

SIGN 7 – PROJECTING SIGN

- 4.13. As referenced within the Officer's Report, Camden's planning guidance on Design recognises that large shopfronts may require additional projecting signs. In this case, the retail unit is sited on the corner of the junction where Abbey Road meets Belsize Road and as such, it has been necessary to incorporate additional projecting signs.
- 4.14. It is considered that the proposed projecting sign (Sign 7) is a subtle yet significant advert, which is necessary for the day-to-day operation of the store by providing clear directional aid for customers arriving from Abbey Road to the south of the store.
- 4.15. The projecting sign does not clutter or dominate the building elevation or result in an excessive number of adverts overall and thus adheres to Local Plan policies D1 and D4.

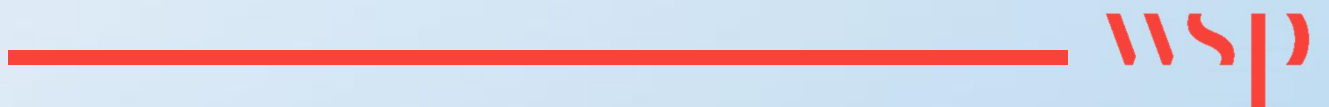
SIGN 8 – SAINSBURY'S LOCAL SIGN (FASCIA SIGN)

- 4.16. The case officer sites concern of the illumination and siting of the proposed signage, stating that the display of sign 8 would not respect the form, design and scale of the host building.
- 4.17. Rather than disrespecting the design and form of the building, sign 8 has been incorporated to add visual interest to the elevation and enhance the appearance of the shopfront and wider street scene.
- 4.18. In regard to the case officer's issue with illuminance, it should be noted that the same levels of illuminance proposed at signs 7 and 8 have been permitted within signs 1, 2 and 6, and therefore the principal of illumination at this site has been agreed.
- 4.19. Indeed, it should be noted that residential flats are located above each elevation where all the adverts are sited. Therefore, the elevation in question (where the adverts have been refused), hold no heightened significance to that of the rest of the building.

- 4.20. Notwithstanding this point, during correspondence with the case officer on the matter of illumination, Sainsbury's offered to reduce the cadence levels so as to soften the impact of the illumination. This was disregarded, with the case officer stating that the adverts as a whole were inappropriate rather than their illuminance. Full details of correspondence with the LPA have been set out in **Appendix D**.
- 4.21. Overall, it is considered that the proposed sign sits comfortably within the architectural features of the building and does not take up a large proportion of the overall building façade. The proposed sign adheres to Local Plan policies D1 and D4 and does not harm the character or appearance of the area. The advertisement should be acceptable on visual amenity grounds.

5

CONCLUSIONS



5 CONCLUSIONS

- 5.1. The proposed adverts are necessary for the day-to-day operation of the store by advertising its presence to customers approaching the site from all directions. The adverts provide clear directional aid for customers to ensure a comfortable shopping experience.
- 5.2. There can be no dispute that businesses need to advertise, and that planning policy decisions should support businesses in accordance with paragraph 80 of the NPPF.
- 5.3. In keeping with Camden's Local Plan policies D1 and D4, as well as their supplementary planning guidance, the proposed adverts respect the local context and character, whilst integrating well with the surrounding street scene. The proposal respects the form, fabric, design and scale of their setting and host building, as well as providing high-quality design.
- 5.4. It is clear the proposed advertisements adhere to national policy and guidance, as set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the NPPF, and the PPG, which states that unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused.
- 5.5. Overall, we consider that the proposed signs do not clutter or dominate the building or result in an excessive number of adverts overall. We conclude that the proposed signs do not result in harm to the character and appearance of the area and are acceptable on amenity grounds, as set out in paragraph 132 of the NPPF.
- 5.6. We therefore respectfully request that the appeal is allowed.

Appendix A

DECISION NOTICE (LPA REF.
2020/2466/A)



Application ref: 2020/2466/A
Contact: Tony Young
Tel: 020 7974 2687
Email: Tony.Young@camden.gov.uk
Date: 23 July 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

WSP Indigo
Aldermay House
10-15 Queen Street
London
EC4N 1TX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Advertisement Consent Part Granted/Refused

Address:
131-143 Belsize Road
London
NW6 4AD

Proposal:

- a) Display of 2 double sided internally illuminated (lettering only) projecting signs (signs 1 and 6) and an internally illuminated fascia lettering sign (sign 2);
- b) Display of a double sided internally illuminated (lettering only) projecting sign (sign 7) and an internally illuminated fascia lettering sign (sign 8).

The Council has considered your application and decided the following:

a) to **GRANT CONSENT** for:

- a) Display of 2 double sided internally illuminated (lettering only) projecting signs (signs 1 and 6) and an internally illuminated fascia lettering sign (sign 2).

Drawing Nos: 510_1_PL_100 rev B; (P-128229-)100, 105, 110 rev B, 210 rev E, 211 rev B, 213 rev B, 214 rev A dated 18/03/2020.

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.

b) to **REFUSE CONSENT** for:

b) Display of a double sided internally illuminated (lettering only) projecting sign (sign 7) and an internally illuminated fascia lettering sign (sign 8).

Drawing Nos: 510_1_ PL_100 rev B; (P-128229-)100, 105, 110 rev B, 210 rev E, 211 rev B, 213 rev B, 214 rev A dated 18/03/2020.

Reasons for Refusal

- 1 The proposed advertisements (signs 7 and 8), by virtue of their siting and illumination, would be incongruous and out of keeping given the character of the locations, and would introduce visual clutter detrimental to the character and appearance of the host building and wider streetscene, contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017.

Informative(s):

- 1 Proposals to display vinyl lettering signs (signs 3 and 4) internally behind glazing and a non-illuminated ATM surround sign (sign 5) as shown on the submitted drawings are considered to benefit from deemed advertisement consent, as defined by Schedule 3, Part 1, Classes 12 and 5 respectively of the Town and Country Planning (Control of Advertisements) Regulations 2007, and therefore do not require formal determination by the local authority in the form of an advertisement consent application.

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 about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Director of Economy, Regeneration and Investment

Appendix B

DELEGATED REPORT (LPA REF.
2020/2466/A)



Delegated Report

Expiry Date:

09/06/2020

Case Officer

Tony Young

Application Number

2020/2466/A

Application Address

131-143 Belsize Road
London
NW6 4AD

Drawing Numbers:

See draft decision notice

PO 3/4

Area Team Signature

C&UD

Authorised Officer Signature

Proposal(s)

- a) Display of 2 double sided internally illuminated (lettering only) projecting signs (signs 1 and 6) and an internally illuminated fascia lettering sign (sign 2)
b) Display of a double sided internally illuminated (lettering only) projecting sign (sign 7) and an internally illuminated fascia lettering sign (sign 8)

Recommendation(s):

Part grant, part refuse consent

Application Type:

Advertisement Consent

Consultations

Consultation method:

No statutory consultation required

Summary of consultation responses:

No responses received

Site Description

The application relates to the ground floor retail unit on the south-west corner of the Abbey Co-op Community Centre and Belsize Road Car Park site, recently the subject of a phased redevelopment scheme to provide mixed commercial and residential uses.

The building isn't listed and is not located within conservation area, though it is in close proximity the Priory Road and Alexandra Road Conservation Areas. The site is bounded by railway tracks to the south, residential development to the east and west, and with a health centre and community centre immediately north.

Relevant History

Application history:

2018/1714/A - Temporary display of advertisement boards with Halo backlit lettering on existing hoarding along Belsize Road and non-illuminated advertisement boards on existing hoarding along Abbey Road until 21/03/2021 in connection with Community Investment Programme and approved redevelopment under application reference: 2012/0096/P. Grant advertisement consent dated 18/04/2018

2018/1393/A - Temporary display of non-illuminated advertisement boards on existing hoarding along Belsize Road and Abbey Road until 31/08/2019 in connection with Community Investment Programme and approved redevelopment under application reference: 2012/0096/P. Grant advertisement consent dated 21/03/2018

2015/0280/A - Display of 1x non-illuminated hoarding sign fronting Belsize Road and Abbey Road. Grant advertisement consent dated 27/01/2015

Enforcement history:

EN03/0733 – 2 x advert hoardings. Hoardings removed and breach ceased. Case closed
09/03/2005

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

London Borough of Camden Local Plan 2017

A1 - Managing the impact of development

D1 – Design

D4 - Advertisements

G1 - Delivery and location of growth

T1 - Prioritising walking, cycling and public transport

Camden Planning Guidance (CPG)

CPG Advertisements (March 2018) – paragraphs 1.1 to 1.18

CPG Design (March 2019) - chapters 2 (Design excellence) and 6 (Shopfronts)

CPG Amenity (March 2018) - chapter 4 (Artificial light)

CPG Transport (March 2019) – chapters 7 (Vehicular access and crossovers) and 9 (Pedestrian and cycle movement)

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Assessment

1. Proposal

1.1 The proposal is seeking advertisement consent for the display of the following:

- x3 double sided internally illuminated (lettering only) projecting signs (signs 1, 6 and 7 as shown on signage plan ref. P-128229-214 rev A dated 18/03/2020); and
- x2 internally illuminated fascia lettering signs (signs 2 and 8).

2. Assessment

2.1 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.

2.2 The principal considerations therefore material to the determination of this application are:

- a) visual amenity – the design and impact of the proposal on the character and appearance of the host building and wider streetscene; and on neighbouring amenity (in so far as the Town and Country Planning (Control of Advertisements) Regulations 2007 allow consideration in this regard); and
- b) transport and public safety – the impact of the proposal on highway, pedestrian and cyclist's safety.

3. Visual amenity

3.1 Local Plan Policy D1 (Design) establishes that careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development in Camden which integrates into its surroundings.

- 3.2 Local Plan Policy D4 (Advertisements) confirms that the Council will support advertisements that preserve or enhance the character of their setting and host building, but will resist advertisements that contribute to an unsightly proliferation of signage and to street clutter in the public realm.
- 3.3 CPG (Design) states that *“Any signage or lettering should be uncluttered and respect the character and design of the building”* (paragraph 6.13 - Camden Planning Guidance: Design, March 2019)
- a) Display of 2 double sided internally illuminated (lettering only) projecting signs (1 and 6) and an internally illuminated fascia lettering sign (sign 2)
- 3.4 The proposed display of signs 1, 2 and 6 on the main retail frontage (north and north-west elevations as shown on drawing ref. P-128229-210 rev E) are considered to be acceptable in terms of their size, design, materials, location, luminance levels and methods of illumination. While Council guidance generally discourages internally illuminated signs, in this particular instance, only individual lettering would be illuminated (the background of the signs remaining non-illuminated) and the signs would have suitably low luminance levels (no higher than 204 and 375 cd/m² respectively) typical of signage displayed at fascia level on a defined retail frontage. Signs 1, 2 and 6 would therefore preserve the character of the host building and wider streetscene, and are acceptable.
- b) Display of a double sided internally illuminated (lettering only) projecting sign (sign 7) and an internally illuminated fascia lettering sign (sign 8)
- 3.5 The display of retail signage (signs 7 and 8) is considered to be unsuitable on the north-east elevation (as shown on drawing ref. P-128229-210 rev E) as it doesn't form part of the retail frontage and is read as being part of the separate residential character of the building associated with the upper floor flats.
- 3.6 CPG (Design) states that, *“Properties should only have one main fascia sign and one ancillary projecting or hanging sign per street frontage, although two projecting signs may be appropriate in cases of large shopfronts stretching across two or more shop units. Too many adverts/signs on a property contribute to visual clutter and can detract from the appearance of the street scene”* (paragraph 6.29).
- 3.7 More specifically, shopfront advertisements will generally only be acceptable at fascia level which *“refers to the signboard on the upper part of a shopfront showing the name of the shop”* (paragraph 7.87 – policy D4 (Camden Local Plan, June 2017)).
- 3.8 While the intention of the applicant (Sainsbury) to maximise the presence of the retail unit is recognised, any retail signage in this location would not only blur the edges of the Sainsbury's unit on the northern side, but would also be misleading in a visual sense for both the retail and residential units, especially as signage would extend beyond the retail frontage or shopfront itself and be displayed entirely on the residential façade of the building which has its' own separate character and treatment contrary to the above policy and guidance.
- 3.9 As such, the display of signs 7 and 8 in this location would not respect the form, design and scale of the host building, and would be unduly obtrusive and inappropriate on a prominent corner elevation of the host building that does not need to benefit from the retail presence being further advertised or enhanced.
- 3.10 Additionally, while the same type of illuminated signage is considered to be appropriate on the main retail frontage through which customers enter and exit the premises, illuminated signage displayed on a flank brick without shopfront windows or any visible retail presence would appear incongruous and out-of-place, as well as, result in an over-proliferation of signage at the site as a whole.
- 3.11 CPG (Advertisements) states that *“The type and appearance of illuminated signs should be*

sympathetic to the design of the building on which it is located." The guidance further states that, "*All signs should serve as an integral part of the immediate surroundings.*" (paragraphs 1.14 and 1.8 respectively – Camden Planning Guidance: Advertisements, March 2019).

- 3.12 The illumination would not be sympathetic to the design of the building, particularly as it has a very strong presence in the streetscene, being very prominent and indeed dominant at this corner junction due to its height and distinct architectural style in contrast to its surroundings. As such, the illumination would heighten the detrimental impact of the proposed signage by making the signs even more noticeable, adding further to the appearance of visual clutter, on an elevation that is considered unsuitable for any type of retail signage, whether illuminated or non-illuminated.
- 3.13 Overall, it is therefore considered that proposed signs 7 and 8, by virtue of their siting and illumination, would be incongruous and out of keeping given the character of the locations, and would introduce visual clutter detrimental to the character and appearance of the host building and wider streetscene, contrary to policies D1 and D4.

Residential amenity

- 3.14 Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission or consent for development or alterations that would not harm the amenity of communities, occupiers and neighbouring residents.
- 3.15 All proposed signage (signs 1, 2, 6, 7 and 8) would not cause any harm to neighbouring residential amenities in terms of light pollution or outlook.

4. Transport and public safety

- 4.1 Policy D4 of the Local Plan states that advertisements will not be considered acceptable where they impact adversely upon public safety, including where they distract road users because of their unusual nature. CPG (Transport) also seeks to ensure that there isn't an adverse impact on the highway network, the public footway and crossover points.
- 4.2 All proposed signage (signs 1, 2, 6, 7 and 8) is not considered to be harmful to either pedestrian or vehicular traffic and would unlikely introduce any undue distraction or hazard in public safety terms. The proposals therefore raise no public safety concerns.

Other matters

- 4.3 Non-illuminated vinyl lettering signs (signs 3 and 4) displayed internally behind glazing and a non-illuminated ATM surround sign (sign 5) as shown on the submitted drawings are considered to benefit from deemed advertisement consent, as defined by Schedule 3, Part 1, Classes 12 and 5 respectively of the Town and Country Planning (Control of Advertisements) Regulations 2007, and therefore do not require formal determination by the local authority in the form of an advertisement consent application.

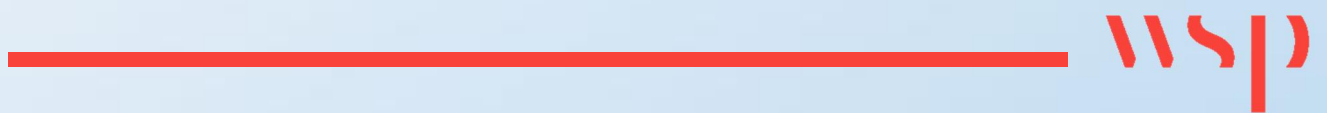
5. Recommendation

- 5.1 It is therefore recommended that advertisement consent be part approved/part refused:
- 5.2 a) Approve signs 1, 2 and 6.
- 5.3 b) Refuse signs 7 and 8 for the following reason:
- 5.4 The proposed advertisements (signs 7 and 8), by virtue of their siting and illumination, would be incongruous and out of keeping given the character of the locations, and would introduce visual clutter detrimental to the character and appearance of the host building and wider streetscene,

contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017.

Appendix C

PLANNING POLICY AND GUIDANCE



STATUTORY INSTRUMENTS

2007 No. 783

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning (Control of
Advertisements) (England) Regulations 2007**

<i>Made</i>	- - - -	<i>8th March 2007</i>
<i>Laid before Parliament</i>		<i>15th March 2007</i>
<i>Coming into force</i>	- -	<i>6th April 2007</i>

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 220, 221, 223(1), 224(3) and 333(1) of the Town and Country Planning Act 1990⁽¹⁾, makes the following Regulations:

PART 1
GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and shall come into force on 6th April 2007.

(2) These Regulations apply in relation to the display of advertisements on sites in England only.

(3) Parts 2 and 3 of these Regulations do not apply to the display of an advertisement of a description set out in column (1) of Schedule 1 to these Regulations so long as—

- (a) the display complies with the conditions and limitations specified in column (2) of that Schedule as applicable to advertisements of that description; and
- (b) except in the case of an advertisement within Class F, all the conditions specified in Schedule 2 are complied with;
- (c) in the case of an advertisement within Class F, the requirements of paragraphs 1 to 3 and 5 of the standard conditions are complied with.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Town and Country Planning Act 1990;

(1) 1990 c. 8.

“advertisement” does not include—

- (a) anything employed wholly as a memorial or as a railway signal; or
- (b) a placard or other object borne by an individual or an animal;

“advertiser”, in relation to an advertisement, means—

- (a) the owner of the site on which the advertisement is displayed;
- (b) the occupier of the site, if different; and
- (c) any other person who undertakes or maintains the display of the advertisement;

and any reference in these Regulations to the person displaying an advertisement shall be construed as a reference to the advertiser;

“amenity” includes aural and visual amenity;

“Area of Outstanding Natural Beauty” means an area designated as such by an order made under section 82 of the Countryside and Rights of Way Act 2000(2);

“area of special control” means an area designated by an order under regulation 20;

“balloon” means a tethered balloon or similar object;

“deemed consent” means consent granted by regulation 6;

“discontinuance notice” means a notice served under regulation 8;

“electronic communication” means an electronic communication within the meaning of the Electronic Communications Act 2000(3), the processing of which on receipt is intended to produce writing;

“electronic communications code operator” means—

- (a) a provider of an electronic communications network in whose case the electronic communications code applies by virtue of a direction given by OFCOM under section 106 of the Communications Act 2003(4); and
- (b) a person who, by virtue of paragraph 17(1) and (2) of Schedule 18 to that Act, is treated after the commencement of that section as a person in whose case that code applies by virtue of a direction given by OFCOM;

“electronically” means by electronic communication;

“express consent” has the meaning given by regulation 5;

“highway authority” has the meaning given by sections 1 to 3 of the Highways Act 1980(5);

“highway land” means any land within the boundaries of a highway;

“illuminated advertisement” means an advertisement which is designed or adapted to be illuminated by artificial lighting, directly or by reflection, and which is so illuminated (whether continuously or from time to time);

“local planning authority”—

- (a) as regards land in a National Park, other than land within a metropolitan county, means the county planning authority for the area where the land is situated;

(2) 2000 c. 37.

(3) 2000 c. 7.

(4) 2003 c. 21. As to “the electronic communications code”, see section 106 of the Communications Act 2003 (“the 2003 Act”) and Schedule 2 to the Telecommunications Act 1984 (c. 12). As to “electronic communications network”, see the definition of that expression in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984, inserted by the 2003 Act, Schedule 3, paragraph 2(2). See also section 32(1) of the 2003 Act. As to “OFCOM”, see the definition in section 405(1) of the 2003 Act.

(5) 1980 c. 66.

(b) as regards land in the area of an urban development corporation, means (except in regulation 20) that corporation where it is the local planning authority for the purposes of sections 220 and 224 of the Act; and

(c) as regards any other land, means the relevant district planning authority, metropolitan district or London borough council or urban development corporation;

“National Park” has the meaning given by section 5 of the National Parks and Access to the Countryside Act 1949⁽⁶⁾;

“site” means any land or building, other than an advertisement, on which an advertisement is displayed;

“standard conditions” means the conditions specified in Schedule 2;

“statutory undertaker” includes, in addition to any person referred to in section 262(1) of the Act—

(a) any person deemed to be a statutory undertaker under subsection (3) or (6) of that section⁽⁷⁾,

(b) the British Airports Authority,

(c) the Coal Authority or any licensed operator within the meaning of section 65(1) of the Coal Industry Act 1994⁽⁸⁾,

(d) any electronic communications code operator, and

(e) any person who is a licence holder, or who has the benefit of a licence exemption, within the meaning of Part 1 of the Railways Act 1993⁽⁹⁾,

and “statutory undertaking” shall be construed accordingly;

“traffic sign” has the meaning given by section 64(1) of the Road Traffic Regulation Act 1984⁽¹⁰⁾;

“vehicle” includes a vessel on any inland waterway or in coastal waters; and

“working day” means a day which is not a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971⁽¹¹⁾.

(2) Except in Class 15 in Schedule 3, any reference in these Regulations to the building, the land, the premises or the site on which an advertisement is displayed includes, in the case of an advertisement which is displayed on, or which consists of, a balloon, a reference to the building, the land, the premises or the site to which the balloon is attached and to all buildings, land or premises normally occupied therewith.

Powers to be exercised in the interests of amenity and public safety

3.—(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

(a) the provisions of the development plan, so far as they are material; and

(b) any other relevant factors.

(2) Without prejudice to the generality of paragraph (1)(b)—

⁽⁶⁾ 1949 c. 37.

⁽⁷⁾ Subsection (3) was amended by section 76(7) of the Utilities Act 2000 (c. 27), the Transport Act 2000 (c. 38), Sch. 5, para 6, S.I. 1996/593, and S.I. 2001/1149.

⁽⁸⁾ 1994 c. 38.

⁽⁹⁾ 1993 c. 43.

⁽¹⁰⁾ 1984 c. 27.

⁽¹¹⁾ 1971 c. 80.

- (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
 - (b) factors relevant to public safety include—
 - (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
 - (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.
- (4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

Requirement for consent

- 4.—(1) Subject to paragraph (2), no advertisement may be displayed unless consent for its display has been granted—
- (a) by the local planning authority or the Secretary of State on an application in that behalf (referred to in these Regulations as “express consent”); or
 - (b) by regulation 6 (referred to in these Regulations as “deemed consent”).
- (2) An advertisement to which, by virtue of regulation 1(3), Parts 2 and 3 of these Regulations do not apply may be displayed without express consent or deemed consent.
- (3) In determining an application for consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested.

General effect of consent

5. A consent for the display of advertisements (whether deemed or express) shall have effect—
- (a) as consent for the use of the site for the purposes of the display of advertisements, whether by the erection of structures or otherwise; and
 - (b) for the benefit of any person interested in the site.

PART 2

DEEMED CONSENT

Deemed consent for the display of advertisements

- 6.—(1) Subject to regulations 7 and 8, and in the case of an area of special control also to regulation 21, consent is granted for the display of an advertisement of any class specified in Part 1 of Schedule 3, subject to—
- (a) the standard conditions; and
 - (b) in the case of any class other than Class 12, the conditions and limitations specified in that Part in relation to that class.

- (2) Part 2 of Schedule 3 applies for the interpretation of that Schedule.

Directions restricting deemed consent

7.—(1) If the Secretary of State is satisfied, upon a proposal made to her by the local planning authority, that the display of advertisements of any class or description specified in Schedule 3, other than Class 12 or 13, should not be undertaken in any particular area or in any particular case without express consent, she may direct that the deemed consent for that class or description shall not apply in that area or in that case, for a specified period or indefinitely.

- (2) Before making any such direction, the Secretary of State shall—

- (a) where the proposal relates to a particular area, publish, or cause to be published, in at least one newspaper circulating in the locality, and on the same or a subsequent date in the London Gazette, a notice that such a proposal has been made, naming a place or places in the locality where a map or maps defining the area concerned may be inspected at all reasonable hours; and
- (b) where the proposal relates to a particular case, serve, or cause to be served, on the owner and occupier of the land affected and on any other person who, to her knowledge, proposes to display on that land an advertisement of the class or description concerned, a notice that a proposal has been made, specifying the land and the class or description of advertisement concerned.

(3) A notice under paragraph (2) shall state that any representation about the making of a direction may be made to the Secretary of State in writing within such period, being not less than 21 days from the date when the notice was first published or served (as the case may be), as is specified in the notice.

(4) The Secretary of State shall not make a direction under this regulation until after the expiry of the specified period.

- (5) In determining whether to make a direction, the Secretary of State—

- (a) shall take into account any representation made in accordance with paragraph (3) (a “paragraph (3) representation”);
- (b) where any paragraph (3) representation consists of an objection, may give to the local planning authority and to any other person who has made a paragraph (3) representation, an opportunity of appearing before and being heard by a person appointed by her for the purpose; and
- (c) may modify the proposal of the local planning authority if—
 - (i) she has given to that authority and every person who has made a paragraph (3) representation, notice in writing of her intention and the reasons for it and has given them a reasonable opportunity to respond; and
 - (ii) the intended modification does not extend the area of land specified in the proposal.

(6) Where the Secretary of State makes a direction, she shall send it to the local planning authority, with a statement of her reasons for making it, and shall send a copy of that statement to every person who has made a paragraph (3) representation.

(7) Notice of the making of any direction for a particular area shall be published by the local planning authority in at least one newspaper circulating in the locality and, unless the Secretary of State otherwise directs, on the same or a subsequent date in the London Gazette, and such notice shall—

- (a) contain a full statement of the effect of the direction;
- (b) name a place or places in the locality where a copy of the direction and of a map defining the area concerned may be seen at all reasonable hours; and

- (c) specify a date when the direction shall come into force, being at least 14 and not more than 28 days after the first publication of the notice.

(8) Notice of the making of any direction for a particular case shall be served by the local planning authority on the owner and on any occupier of the land to which the direction relates, and on any other person who, to the knowledge of the authority, proposes to display on that land an advertisement of the class or description concerned.

(9) A direction for an area shall come into force on the date specified in the notice given under paragraph (7), and a direction for a particular case shall come into force on the date on which notice is served on the occupier or, if there is no occupier, on the owner of the land affected.

Discontinuance of deemed consent

8.—(1) Subject to paragraph (2), the local planning authority may, if it is satisfied that it is necessary to do so to remedy a substantial injury to the amenity of the locality or a danger to members of the public, serve a notice requiring the discontinuance of—

- (a) the display of a particular advertisement for which there is deemed consent; or
- (b) the use of a particular site for the display of advertisements for which there is deemed consent.

(2) Paragraph (1) does not apply in relation to an advertisement that is within both Class 12 in Schedule 3 and Class E or Class F in Schedule 1.

(3) A discontinuance notice—

- (a) shall be served on the advertiser;
- (b) shall specify the advertisement or, as the case may be, the site to which the notice relates;
- (c) shall specify a period within which the display or the use of the site, as the case may be, is to be discontinued;
- (d) shall contain a statement of the reasons why the local planning authority—
 - (i) considers that a substantial injury to the amenity of the locality or a danger to members of the public, as the case may be, has been caused; and
 - (ii) considers it necessary to serve the notice; and
- (e) shall include the names and addresses of all persons on whom the notice has been served.

(4) Subject to paragraphs (5) and (6), a discontinuance notice shall take effect at the end of the period (being at least 8 weeks after the date on which it is served) specified in the notice.

(5) If an appeal is made to the Secretary of State under section 78 of the Act (as applied by regulation 17(3)), the notice shall be of no effect until the appeal is finally determined or withdrawn.

(6) The local planning authority may, by notice served on every person on whom the discontinuance notice was served under paragraph (3)—

- (a) withdraw the discontinuance notice at any time before it takes effect; or
- (b) unless an appeal is made to the Secretary of State, from time to time vary the discontinuance notice by extending the period at the end of which the notice is to take effect.

(7) For the purposes of paragraph (5), an appeal is finally determined—

- (a) if the period for bringing any further appeal has ended without an appeal having been made, or
- (b) if it is withdrawn or otherwise ceases to have effect.

(8) In considering whether to serve a discontinuance notice, the local planning authority shall have regard to any material change in circumstances that has occurred.

PART 3

EXPRESS CONSENT

Applications for express consent

- 9.—(1) An application for express consent shall be made to the local planning authority.
- (2) Subject to paragraphs (6) and (7), the application shall be made electronically or in hard copy on a form published by the Secretary of State or a form substantially to the same effect.
- (3) The applicant shall—
- (a) include the particulars specified in the form; and
 - (b) send with the application (whether electronically or otherwise) a plan which—
 - (i) is drawn to an identified scale,
 - (ii) shows the direction of North,
 - (iii) identifies the location of the site by reference to at least two named roads, and
 - (iv) identifies the proposed position of the advertisement.
- (4) Unless an application is made electronically or the local planning authority indicates that a lesser number is required, three copies of the completed form and the plan shall accompany the application.
- (5) Where the application is one to which directions given by the Secretary of State under regulation 11 apply, the applicant shall send with the application (whether electronically or otherwise) such particulars, plans or information specified or referred to in those directions as may have been notified to the applicant by the local planning authority.
- (6) An application made on or after 6th April 2007 and before 1st October 2007, may be made in writing on a form devised by the local planning authority.
- (7) An application made after 30th September 2007 and before 1st November 2007 otherwise than by a local planning authority or an interested planning authority, may be made in writing on a form devised by the local planning authority.
- (8) Where an application is made electronically, the applicant shall be taken to have agreed—
- (a) to the use by the authority of electronic communication for the purposes of his application;
 - (b) that his address for that purpose is the address incorporated into, or otherwise logically associated with, his application; and
 - (c) that his deemed agreement under this paragraph shall subsist until he gives notice in writing—
 - (i) withdrawing any address notified to the authority for that purpose, or
 - (ii) revoking that deemed agreement,and such withdrawal or revocation shall be final and shall take effect on a date specified by the person in the notice but not less than seven days after the date on which the notice is given.
- (9) An application made electronically shall, unless the contrary is proved, be treated as having been delivered at 9 a.m. on the next working day after the day on which it is transmitted.
- (10) This regulation applies to applications for renewal of consent as it applies to applications for consent.
- (11) An application for the renewal of an express consent may not be made more than 6 months before the date on which the consent is due to expire.

Application of section 77 of the Act to applications for express consent

10.—(1) Section 77 of the Act (reference of applications to Secretary of State) shall apply to applications for express consent made by an interested planning authority subject to—

- (a) in subsection (1), the substitution, for “applications for planning permission, or for the approval of any local planning authority required under a development order”, of “applications for the display of advertisements pursuant to regulations made under section 220 of this Act”; and
- (b) the omission of subsections (4) and (6).

(2) Where the Secretary of State gives a direction under section 77 of the Act in respect of an application for express consent, regulations 13 to 16 shall apply to that application as if—

- (a) references to the local planning authority (in whatever terms) were references to the Secretary of State;
- (b) regulation 13(1)(c) were omitted; and
- (c) in regulation 16(1), for “applicant” there were substituted “interested planning authority”.

Secretary of State’s directions

11. The Secretary of State may give directions to a local planning authority, either generally or in relation to a particular case or class of case, specifying the kinds of particulars, plans or information that are to accompany an application for express consent.

Receipt of applications

12. On receipt of an application for express consent, the local planning authority—

- (a) shall send an acknowledgement to the applicant;
- (b) may direct the applicant to provide one of the authority’s officers with such evidence as may reasonably be called for to verify any particulars or information given to the authority; and
- (c) if it is the county planning authority, shall send a copy of the application and the accompanying plan to the district planning authority within whose area any part of the application site is situated.

Duty to consult

13.—(1) Before granting an express consent, the local planning authority shall consult—

- (a) any neighbouring local planning authority, any part of whose area appears likely to be affected;
- (b) where the application relates to land in a National Park, other than land within a metropolitan county, the district planning authority for the area in which the land is situated;
- (c) where the authority considers that a grant of consent may affect the safety of persons using any trunk road (as defined in section 329 of the Highways Act 1980(12)), the Secretary of State for Transport;
- (d) where the authority considers that a grant of consent may affect the safety of persons using any railway, waterway, dock, harbour or aerodrome (civil or military), the person responsible for its operation and, in the case of coastal waters, the Corporation of Trinity House; and

(12) 1980 c. 65.

(e) where the application—

- (i) relates to an advertisement with moving features, moving parts or flashing lights, and
- (ii) is visible from a highway,
the highway authority.

(2) The local planning authority shall give to those with whom consultation is required at least 14 days' notice that the relevant application is to be considered and shall take into account, in dealing with the application, any representations made in response to that consultation.

Power to deal with applications

14.—(1) Where an application for express consent is made to the local planning authority, the authority may—

- (a) grant consent, in whole or in part, subject to the standard conditions and, subject to paragraphs (6) and (7), to such additional conditions as it thinks fit;
- (b) refuse consent; or
- (c) in a case to which paragraph (2) applies, decline to determine the application.

(2) This paragraph applies where the application relates to an advertisement to which section 70A of the Act, as modified as mentioned in paragraph (3), applies.

(3) For the purposes of this regulation, section 70A of the Act shall apply subject to the modifications specified in Part 1 of Schedule 4; and the provisions of that section as so modified are set out in Part 2 of that Schedule.

(4) Express consent may be granted—

- (a) for the display of a particular advertisement or advertisements with or without illumination;
- (b) for the use of a particular site for the display of advertisements in a specified manner, whether by reference to the number, siting, size or illumination of the advertisements, or the structures intended for such display, or the design or appearance of any such structure, or otherwise; or
- (c) for the retention of any display of advertisements or the continuation of the use of a site begun before the date of the application.

(5) The conditions imposed under paragraph (1)(a) may, in particular, include conditions—

- (a) regulating the display of advertisements to which the consent relates;
- (b) regulating the use for the display of advertisements of the site to which the application relates or any adjacent land under the control of the applicant, or requiring the carrying out of works on any such land;
- (c) requiring the removal of any advertisement or the discontinuance of any use of land authorised by the consent, at the end of a specified period, and the carrying out of any works required for the reinstatement of the land.

(6) In relation to the display of an advertisement within any class specified in Part 1 of Schedule 3, the local planning authority shall not impose any condition more restrictive than those imposed by regulation 6(1)(b) in relation to advertisements of that class.

(7) Subject to paragraph (6), an express consent shall be subject to the condition that it expires at the end of—

- (a) such period as the local planning authority may specify in granting the consent; or
- (b) where no period is so specified, a period of 5 years.

(8) The local planning authority may specify, as the date on which the period under paragraph (7) (a) is to begin, whichever is the earlier of—

- (a) the date of the commencement of the display; and
- (b) a specified date not later than 6 months after the date on which the consent is granted.

Applications by interested planning authorities

15.—(1) An application made by an interested planning authority (whether solely or jointly with any other person) for express consent to display an advertisement shall be determined by the authority concerned unless the application is referred to the Secretary of State under section 77 of the Act for determination by her.

(2) Any consent granted pursuant to paragraph (1) shall expire—

- (a) at the end of such period as the authority may specify in granting the consent;
- (b) where no period is so specified, at the end of a period of 5 years; or
- (c) on the date on which the interested planning authority ceases (whether solely or jointly) to display the advertisement,

whichever is the earlier.

Notification of decision

16.—(1) The grant or refusal by a local planning authority of an application for express consent shall be notified in writing to the applicant within a period of 8 weeks from the date of the receipt of the application or such longer period as the applicant may, before the expiry of that period, agree in writing⁽¹³⁾.

(2) The authority shall state in writing its reasons for—

- (a) any refusal of consent in whole or in part;
- (b) the imposition of any condition under regulation 14(1)(a), other than—
 - (i) a standard condition;
 - (ii) a condition specified in Part 1 of Schedule 3 in relation to a class within which the advertisement falls; and
- (c) the imposition of a condition whereby the consent expires before the expiry of 5 years from the date on which it is granted, unless the period specified in the condition is a period proposed by the applicant.

Appeals to the Secretary of State

17.—(1) Sections 78 and 79 of the Act⁽¹⁴⁾ shall apply in relation to applications for express consent under these Regulations subject to the modifications specified in Part 3 of Schedule 4.

(2) The provisions of those sections, as so modified, are set out in Part 4 of that Schedule.

(3) Where a discontinuance notice is served under regulation 8, sections 78 and 79 of the Act shall apply in relation to that notice subject to the modifications specified in Part 5 of that Schedule.

Revocation or modification of express consent

18.—(1) Subject to paragraphs (3) and (4), if a local planning authority is satisfied that it is expedient to do so, it may by order revoke or modify an express consent.

⁽¹³⁾ See also regulation 22 as to electronic communications.

⁽¹⁴⁾ In section 79, subsection (6A) was inserted by section 18 of the Planning and Compensation Act 1991(c. 34).

(2) Without prejudice to the generality of paragraph (1), a local planning authority may have regard to any material change in circumstances that has occurred since the consent was granted.

(3) An order under paragraph (1) shall not take effect without the approval of the Secretary of State.

(4) The power to make an order under this regulation may be exercised—

(a) in a case which involves the carrying out of building or other operations, at any time before those operations have been completed;

(b) in any other case, at any time before the display of advertisements is begun.

(5) When an authority submits an order under paragraph (1) to the Secretary of State for approval, it shall serve notice on the person who applied for the express consent, the owner and any occupier of the land affected and any other person who, in the authority's opinion, will be affected by the order, specifying a period of at least 28 days from the date of service of the notice within which objection may be made.

(6) If, within the period specified in the notice, an objection to the order is received by the Secretary of State from any person on whom notice was served, the Secretary of State shall, before considering whether to approve the order, give to that person and to the local planning authority an opportunity of appearing before and being heard by a person appointed by her.

(7) In considering whether to approve an order submitted to her under this regulation, the Secretary of State may have regard to any material change in circumstances that has occurred since the consent was granted.

(8) The Secretary of State may approve an order submitted to her under this regulation either without modification or subject to such modifications as she considers expedient.

(9) Where the Secretary of State approves an order submitted to her under this regulation, the local planning authority shall, within 14 days of the receipt of the Secretary of State's decision, send to every person notified under paragraph (5) notice of the Secretary of State's approval.

(10) An order which has been approved under this regulation shall take effect on the day after that on which the local planning authority complies with the requirements of paragraph (9).

(11) Where an order is made in a case to which paragraph (4)(a) applies, the revocation or modification of consent shall not affect such operations as have been carried out before the date on which, in accordance with paragraph (5), notice of the order is served.

Compensation for revocation or modification

19.—(1) Where—

(a) an order under regulation 18 takes effect; and

(b) within 6 months of its approval a claim in writing⁽¹⁵⁾ is served on the local planning authority, either by delivery at or by post to the authority's offices,

the authority shall pay compensation to the claimant for any loss or damage suffered in the circumstances and to the extent specified in paragraph (2).

(2) Compensation is payable if, and to the extent that, the claimant has—

(a) incurred expenditure in carrying out abortive work, including the preparation of plans or similar material;

(b) otherwise sustained loss or damage directly attributable to the order, other than loss or damage consisting of any depreciation in value of any interest in land,

⁽¹⁵⁾ See also regulation 22 as to electronic communications.

but compensation is not payable for work done, or loss or damage arising out of anything done or not done, before the grant of consent.

PART 4

AREAS OF SPECIAL CONTROL

Area of special control orders

20.—(1) Every local planning authority shall from time to time consider whether any part or additional part of its area should be designated as an area of special control.

(2) An area of special control shall be designated by an area of special control order made by the local planning authority and approved by the Secretary of State, in accordance with the provisions of Schedule 5.

(3) An area of special control order may be revoked or modified by a subsequent order made by the authority and approved by the Secretary of State, in accordance with the provisions of Schedule 5.

(4) Where an area of special control order is in force the local planning authority shall consider at least once in every 5 years whether it should be revoked or modified.

(5) Before making an order under this regulation, a local planning authority shall consult—

- (a) where it appears to the authority that the order will be likely to affect any part of the area of a neighbouring local planning authority, that authority;
- (b) where the order will relate to any land in a National Park, other than land in a metropolitan county, any district planning authority within whose area any of that land is situated.

(6) A local planning authority shall not exercise its functions under this regulation in the interests of public safety and, in particular, shall disregard the factors mentioned in regulation 3(2)(b).

Control in areas of special control

21.—(1) Subject to the provisions of this regulation, no advertisement may be displayed in an area of special control unless it falls within one or more of the following—

- (a) any Class in Schedule 1;
- (b) any of Classes 1 to 3, 5 to 7 and 9 to 14 in Schedule 3;
- (c) paragraph (2).

(2) An advertisement falls within this paragraph if it is displayed with express consent and—

- (a) it is a hoarding or similar structure to be used only for the display of notices relating to local events, activities or entertainments;
- (b) it is—
 - (i) for the purpose of announcement or direction in relation to buildings or other land in the locality; and
 - (ii) reasonably required having regard to the nature and situation of such buildings or other land;
- (c) it is required in the interests of public safety;
- (d) it could be displayed by virtue of paragraph (1)(b) but for—
 - (i) a condition or limitation imposed by regulation 6(1)(b) as respects size, height from the ground, number or illumination; or
 - (ii) a direction under regulation 7; or
- (e) it falls within Class 4A, 4B or 8 in Schedule 3.

(3) Express consent may not be granted for the display in an area of special control of an illuminated advertisement falling within paragraph (2)(a) or (b).

(4) Where an area is designated as an area of special control, advertisements of any description in column (1) of the Table below, which are being displayed in that area immediately before the area of special control order comes into force, may continue to be displayed, but only for the period specified in column (2) as applicable to advertisements of that description.

Table

<i>(1) Description</i>	<i>(2) Period</i>
An advertisement within Class 4 in Schedule 3 (illuminated advertisements on business premises) for which express consent has not been granted.	5 years from the date on which the area of special control order comes into force.
An advertisement within Class 8 in Schedule 3 (advertisements on hoardings) for which express consent has not been granted.	Whichever is the longer of— (a) 1 year from the date on which the area of special control order comes into force; and (b) 2 years from the date on which the advertisement was first displayed.
An advertisement for which express consent has been granted.	Whichever is the longer of— (a) 6 months from the date on which the area of special control order comes into force; and (b) the remainder of the period of the express consent.

(5) Nothing in paragraphs (1) to (4) shall—

- (a) affect a notice served at any time under regulation 8;
- (b) override any condition, imposed on a consent, which requires the removal of an advertisement;
- (c) restrict the powers of a local planning authority, or of the Secretary of State, in regard to any contravention of these Regulations;
- (d) render unlawful the display, pursuant to—
 - (i) express consent; or
 - (ii) deemed consent by virtue of Class 14 in Schedule 3,
 of an advertisement referred to in paragraph (2)(d) or (e).

PART 5

MISCELLANEOUS

Documents in electronic form

22.—(1) The requirements—

- (a) of regulation 7(8) (notice of direction restricting deemed consent in a particular case);
- (b) of regulation 8(3) and (6) (service, withdrawal and variation of discontinuance notice);
- (c) of regulation 18(5) (notice of modification or revocation of express consent);

- (d) of paragraphs 4, 7 and 8 of Schedule 5, and of paragraphs 4 and 8 as applied as mentioned in paragraph 11 of that Schedule (notice of making, modification or revocation of area of special control order),

are not capable of being satisfied by transmitting the notice electronically or by making it available on a web-site.

(2) A claim for compensation under regulation 19 may not be made electronically or by making it available on a web-site.

(3) The delivery of any other document to a person (“the recipient”) may be effected for any purpose of these Regulations other than the purposes of regulation 9—

- (a) by transmitting it electronically, or
- (b) by making it available on a web-site,

but only if it is transmitted or made available in accordance with paragraph (4) or (6).

(4) A document is transmitted electronically in accordance with this paragraph if—

- (a) the recipient has agreed that documents may be delivered to him by being transmitted to an electronic address and in an electronic form specified by him for that purpose; and
- (b) the document is a document to which that agreement applies and is transmitted to that address in that form.

(5) A document which is transmitted in accordance with paragraph (4) by means of an electronic communications network shall, unless the contrary is proved, be treated as having been delivered at 9 a.m. on the working day immediately following the day on which it is transmitted.

(6) A document is made available on a web-site in accordance with this paragraph if—

- (a) the recipient has agreed that documents may be delivered to him by being made available on a web-site;
- (b) the document is a document to which that agreement applies and is made available on a web-site;
- (c) the recipient is notified, in a manner agreed by him, of—
 - (i) the presence of the document on the web-site;
 - (ii) the address of the web-site; and
 - (iii) the place on the web-site where the document may be accessed.

(7) A document made available on a web-site in accordance with paragraph (6) shall, unless the contrary is proved, be treated as having been delivered at 9 a.m. on the working day immediately following the day on which the recipient is notified in accordance with paragraph (6)(c).

(8) In this regulation—

“electronic address” includes any number or address used for the purposes of receiving electronic communications; and

“electronic communications network” has the meaning given by section 32(1) of the Communications Act 2003(16).

Repayment of expense of removing prohibited advertisements

23. The time limit prescribed for the purpose of making a claim for compensation under section 223 of the Act for the recovery of expenses reasonably incurred is a period of 6 months from the completion of the works.

(16) 2003 c. 21.

Register of applications

- 24.**—(1) Every local planning authority shall keep a register containing particulars of—
- (a) any application made to the authority for express consent for the display of an advertisement, including the name and address of the applicant, the date of the application and the type of advertisement concerned;
 - (b) any direction given under these Regulations relating to the application;
 - (c) the date and effect of any decision of the local planning authority on the application;
 - (d) the date and effect of any decision of the Secretary of State on an appeal.
- (2) The register shall include an index to enable a person to trace any entry in the register.
- (3) Subject to paragraph (4), the register shall be kept at the principal office of the local planning authority.
- (4) Any part of the register which relates to land within a particular part of the area of the local planning authority may be kept at a place within or convenient to that part of the authority's area.
- (5) Every entry in the register consisting of particulars of an application shall be made within 14 days of the receipt of the application.
- (6) The register shall be open to public inspection at all reasonable hours.

Directions requiring information

25. The Secretary of State may give a direction to a local planning authority, or to such authorities generally, requiring them to provide her with information required for the purpose of any of her functions under these Regulations.

Exercise of powers by the Secretary of State

- 26.**—(1) If it appears to the Secretary of State, after consultation with the local planning authority, that—
- (a) a discontinuance notice should be served under regulation 8; or
 - (b) an area of special control order, or an order revoking such an order, should be made under regulation 20,
- she may herself serve such a notice or make an order.
- (2) Where the Secretary of State exercises her powers under paragraph (1)—
- (a) regulations 8 and 17 (in relation to sub-paragraph (a) of that paragraph); and
 - (b) regulation 20 and Schedule 5 (in relation to sub-paragraph (b) of that paragraph),
- shall apply in relation to her as they apply in relation to a local planning authority as if for references to the local planning authority there were substituted references to the Secretary of State.

Discontinuance notice in respect of authority's advertisement

- 27.**—(1) If the Secretary of State is satisfied that it is necessary to remedy a substantial injury to the amenity of the locality or a danger to members of the public, she may serve a discontinuance notice under regulation 8 in relation to an advertisement displayed by an interested planning authority.
- (2) Paragraphs (3) and (6) of regulation 8 shall apply in relation to a discontinuance notice served under paragraph (1) as they apply in relation to a discontinuance notice served by a local planning authority as if for references to the local planning authority there were substituted references to the Secretary of State.

(3) Paragraph (3) of regulation 17 shall apply in relation to a discontinuance notice served under paragraph (1) as it applies in relation to a discontinuance notice served by a local planning authority, with such modifications as may be necessary.

Extension of time limits

28. The Secretary of State may, in any particular case, extend the time within which anything is required to be done under these Regulations or within which any objection, representation or claim for compensation may be made.

Cancellation or variation of directions

29. Any power conferred by these Regulations to give a direction includes power to cancel or vary the direction by a subsequent direction.

Contravention of Regulations

30.—(1) Subject to paragraph (2), a person displaying an advertisement in contravention of these Regulations shall be liable, on summary conviction of an offence under section 224(3) of the Act, to a fine of an amount not exceeding level 4 on the standard scale⁽¹⁷⁾ and, in the case of a continuing offence, one tenth of level 4 on the standard scale for each day during which the offence continues after conviction.

(2) Paragraph (1) does not apply to the Crown⁽¹⁸⁾.

Transitional provisions

31. Advertisements of any description in column (1) of the Table below, which are being displayed before these Regulations come into force, may continue to be displayed, but only for the period specified in column (2) as applicable to advertisements of that description.

Table

<i>(1) Description</i>	<i>(2) Period</i>
An advertisement within any of the following classes in Schedule 3, for which express consent has not been granted:	5 years from the date on which these Regulations come into force.
<ul style="list-style-type: none"> (a) Class 5 (advertisements on business premises), (b) Class 6 (an advertisement on a forecourt of business premises), (c) Class 15 (advertisements on balloons). 	
An advertisement within Class 8 (advertisements on hoardings), for which express consent has not been granted.	3 years from the date on which these Regulations come into force.
An advertisement within Class 16 in Schedule 3 (advertisements on telephone	2 years from the date on which these Regulations come into force.

⁽¹⁷⁾ See section 53 of the Anti-social Behaviour Act 2003 (c. 38).

⁽¹⁸⁾ As to application to the Crown, see Part 7 of the Planning and Compulsory Purchase Act 2004 (c. 5).

<i>(1) Description</i>	<i>(2) Period</i>
kiosks), for which express consent has not been granted.	

Principal Regulations ceasing to have effect in relation to England, with savings

32.—(1) Subject to paragraphs (2) and (3), the Town and Country Planning (Control of Advertisements) Regulations 1992⁽¹⁹⁾ (“the principal Regulations”) shall cease to have effect in relation to England.

(2) Nothing in paragraph (1) shall affect—

- (a) any direction given by the Secretary of State under the principal Regulations in relation to matters affecting any part of England; or
- (b) any area of special control order made under the principal Regulations in relation to any part of England.

(3) Subject to paragraph (4), the principal Regulations shall continue to have effect as respects England for the purposes of the consideration or determination of any application or appeal (or further appeal) made before the coming into force of these Regulations; and, accordingly, that consideration or determination shall be made by reference to the principal Regulations.

(4) Where, in consequence of an order of any court (whenever made) the Secretary of State re-determines, after the coming into force of these Regulations, an application or appeal made under any provision of the principal Regulations, the re-determination shall be made by reference to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

Yvette Cooper
Minister of State
Department for Communities and Local
Government

8th March 2007

⁽¹⁹⁾ S.I. 1992/666, amended by S.I. 1994/2351 and 1999/1810.

Status: This is the original version (as it was originally made).

SCHEDULE 1

Regulation 1(3)

CLASSES OF ADVERTISEMENT TO WHICH PARTS 2 AND 3 DO NOT APPLY

(1) Description of advertisement	(2) Conditions, limitations and interpretation
<p>CLASS A</p> <p>An advertisement displayed on enclosed land.</p>	<p>1. The advertisement is not readily visible from outside the enclosed land or from any place to which the public have a right of access.</p> <p>2. For the purposes of Class A, “enclosed land” includes—</p> <ul style="list-style-type: none"> (a) any railway station (and its yards) or bus station, together with its forecourt, whether enclosed or not; but does not include any public park, public garden or other land held for the use or enjoyment of the public, or (except as specified above) any enclosed railway land normally used for the carriage of passengers or goods by rail; (b) any sports stadium; and (c) any shopping mall or covered shopping arcade other than an historic shopping arcade. <p>3. In paragraph 2(c) “historic shopping arcade” means a group of buildings—</p> <ul style="list-style-type: none"> (a) of which more than 50%— <ul style="list-style-type: none"> (i) are listed buildings within the meaning of the Planning (Listed Buildings and Conservation Areas) Act 1990 (whether listed individually or for their group value); or (ii) are located within a conservation area within the meaning of that Act; and (b) in more than 50% of which at least 75% of the ground floor is used for retail purposes.
<p>CLASS B</p> <p>An advertisement displayed on or in a vehicle normally employed as a moving vehicle.</p>	<p>The vehicle is not used principally for the display of advertisements.</p>
<p>CLASS C</p> <p>An advertisement incorporated in the fabric of a building.</p>	<p>1. The building or any external face of it is not used principally for the display of advertisements.</p>

(1) <i>Description of advertisement</i>	(2) <i>Conditions, limitations and interpretation</i>
	<p>2. For the purposes of Class C—</p> <p>(a) an advertisement fixed to, or painted on, a building is not to be regarded as incorporated in its fabric;</p> <p>(b) a hoarding or similar structure is to be regarded as a building used principally for the display of advertisements.</p>
<p>CLASS D</p> <p>An advertisement displayed on an article for sale or on the container in, or from which, an article is sold.</p>	<p>1. The advertisement refers only to the article for sale.</p> <p>2. The advertisement may not be illuminated.</p> <p>3. It may not exceed 0.1 square metre in area.</p> <p>4. For the purpose of Class D, “article” includes a gas or liquid.</p>
<p>CLASS E</p> <p>An advertisement relating specifically to a pending Parliamentary, European Parliamentary or local government election or a referendum under the Political Parties, Elections and Referendums Act 2000⁽²⁰⁾.</p>	<p>The advertisement shall be removed within 14 days after the close of the poll in the election or referendum to which it relates.</p>
<p>CLASS F</p> <p>An advertisement required to be displayed by Standing Orders of either House of Parliament or by any enactment or any condition imposed by any enactment on the exercise of any function.</p>	<p>1. If the advertisement would, if it were not within this Class, fall within any Class in Schedule 3, any conditions imposed on that Class as to size, height or number of advertisements displayed, shall apply to it.</p> <p>2. In a case to which paragraph 1 does not apply, the size, height, and number of advertisements displayed shall not exceed what is necessary to achieve the purpose for which the advertisement is required.</p> <p>3. The advertisement may not be displayed after—</p> <p>(a) the expiry of the period during which it is required or authorised to be displayed, or</p> <p>(b) if there is no such period, 14 days after its purpose has been satisfied.</p>
<p>CLASS G</p> <p>A traffic sign⁽²¹⁾.</p>	

⁽²⁰⁾ 2000 c. 41.

⁽²¹⁾ See the definition in regulation 2(1).

Status: This is the original version (as it was originally made).

(1) Description of advertisement	(2) Conditions, limitations and interpretation
CLASS H (a) (a) Any country's national flag; (b) The flag of the Commonwealth, the European Union or the United Nations; (c) The flag of any English county; (d) The flag of any saint.	1. Neither the flag nor the flagstaff may display any advertisement or subject matter additional to the design of the flag. 2. An advertisement within paragraph (d) of this Class may be displayed only in the county with which the saint is associated.
CLASS I An advertisement displayed inside a building.	1. The advertisement may not be illuminated. 2. No part of the advertisement may be within 1 metre of any external door, window or other opening, through which it is visible from outside the building.

SCHEDULE 2

Regulation 2(1)

THE STANDARD CONDITIONS

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.
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.
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.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
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.

SCHEDULE 3

Regulation 6

CLASSES OF ADVERTISEMENT FOR WHICH DEEMED CONSENT IS GRANTED

PART 1

SPECIFIED CLASSES AND CONDITIONS

Class 1	Functional advertisements of government departments and their agencies, local authorities, public transport undertakers, statutory undertakers and Transport for London
Description	<p>1A. An advertisement displayed wholly for the purpose of announcement or direction in relation to any of the functions of a government department, an agency of a government department, a local authority or Transport for London, or to the operation of a statutory undertaking or a public transport undertaking, which—</p> <p>(a) is reasonably required to be displayed for the safe or efficient performance of those functions, or operation of that undertaking, and</p> <p>(b) cannot be displayed by virtue of any other specified class.</p>
Conditions and Limitations	<p>1A. —</p> <p>(1) Illumination is not permitted unless reasonably required for the purpose of the advertisement.</p> <p>(2) No advertisement may exceed 1.55 square metres in area.</p>
Description	1B. An advertisement displayed by a local planning authority on land in its area.
Conditions and Limitations	1B. In an area of special control, the advertisement may be displayed only if the authority could have granted express consent for its display.
Class 2	Miscellaneous advertisements relating to the premises on which they are displayed
Description	2A. An advertisement displayed for the purpose of identification, direction or warning, with respect to the land or building on which it is displayed.
Conditions and Limitations	2A. —

Status: This is the original version (as it was originally made).

	<p>(1) No advertisement may exceed 0.3 square metre in area.</p> <p>(2) Illumination is not permitted.</p> <p>(3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Description	<p>2B. An advertisement relating to any person, partnership or company separately carrying on a profession, business or trade at the premises where it is displayed.</p>
Conditions and Limitations	<p>2B. —</p> <p>(1) No advertisement may exceed 0.3 square metre in area.</p> <p>(2) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(3) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p> <p>(4) Not more than one advertisement is permitted for each person, partnership or company or, in the case of premises with entrances on different road frontages, one advertisement at each of two such entrances.</p> <p>(5) Illumination is not permitted unless—</p> <p>(a) the advertisement states that the services of a practitioner in human health or a veterinary surgeon are available at the premises on which the advertisement is displayed, or that medical or veterinary supplies are available there;</p> <p>(b) the illumination—</p> <p>(i) is by static means,</p> <p>(ii) includes no intermittent light source, flashing lights, moving parts or features, exposed cold cathode tubing, animation or retroflective material, and</p> <p>(iii) is in a manner reasonably required to fulfil the purpose of the advertisement; and</p>

	(c) the levels of luminance do not exceed the levels set out in paragraph 2 of Part 2.
Description	2C. An advertisement relating to any institution of a religious, educational, cultural, recreational or medical or similar character, or to any hotel, inn or public house, block of flats, club, boarding house, hostel or Bed and Breakfast establishment, at the premises where it is displayed.
Conditions and Limitations	2C. — (1) Not more than one advertisement is permitted in respect of each premises or, in the case of premises with entrances on different road frontages, one advertisement at each of two such entrances. (2) No advertisement may exceed 1.2 square metres in area. (3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control. (4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control. (5) Illumination is not permitted unless— (a) the advertisement states that the services of a practitioner in human health or a veterinary surgeon are available at the premises on which the advertisement is displayed, or that medical or veterinary supplies are available there; (b) the illumination— (i) is by static means, (ii) includes no intermittent light source, flashing lights, moving parts or features, exposed cold cathode tubing, animation or retroflective material, and (iii) is in a manner reasonably required to fulfil the purpose of the advertisement; and (c) the levels of luminance do not exceed the levels set out in paragraph 2 of Part 2.

Class 3

Miscellaneous temporary advertisements

Status: This is the original version (as it was originally made).

Description

3A. An advertisement relating to the sale or letting, for residential, agricultural, industrial or commercial use or for development for such use, of the land or premises on which it is displayed.

Conditions and Limitations

3A. —

(1) Not more than one advertisement, consisting of a single board or two joined boards, is permitted; and where more than one advertisement is displayed, the first to be displayed shall be taken to be the one permitted.

(2) No advertisement may be displayed indicating that land or premises have been sold or let, other than by the addition to an existing advertisement of a statement that a sale or letting has been agreed, or that the land or premises have been sold or let, subject to contract.

(3) The advertisement shall be removed within 14 days after the completion of a sale or the grant of a tenancy.

(4) No advertisement may exceed in area—

- (a) where the advertisement relates to residential use or development, 0.5 square metre or, in the case of two joined boards, 0.6 square metre in aggregate;
- (b) where the advertisement relates to any other use or development, 2 square metres or, in the case of two joined boards, 2.3 square metres in aggregate.

(5) Where the advertisement is displayed on a building, the maximum projection permitted from the face of the building is 1 metre.

(6) Illumination is not permitted.

(7) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

(8) No part of the advertisement may be higher above ground level than 4.6 metres, or 3.6 metres in an area of special control or, in the case of a sale or letting of part only of a building, the lowest level of that part of the building on which display is reasonably practicable.

Description

3B. An advertisement announcing the sale of goods or livestock, and displayed on the land where the goods or livestock are situated or where the sale is held, not being land which is

Conditions and Limitations	<p>normally used, whether at regular intervals or otherwise, for the purpose of holding such sales.</p> <p>3B. —</p> <p>(1) Not more than one advertisement may be displayed at any one time on the land concerned; and where more than one advertisement is displayed, the first to be displayed shall be taken to be the one permitted.</p> <p>(2) No advertisement may be displayed earlier than 28 days before the day on which the sale is due to begin.</p> <p>(3) The advertisement shall be removed within 14 days after the sale is completed or, if the sale is cancelled or postponed, within 14 days of the day on which it was due to begin.</p> <p>(4) No advertisement may exceed 1.2 square metres in area.</p> <p>(5) Illumination is not permitted.</p> <p>(6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(7) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Description	<p>3C. An advertisement relating to the carrying out of building or similar work on the land on which it is displayed, not being land which is normally used, whether at regular intervals or otherwise, for the purposes of carrying out such work.</p>
Conditions and Limitations	<p>3C. —</p> <p>(1) Except in the case mentioned in paragraph (4), not more than one advertisement shall be displayed at any one time on each road frontage of the land, in respect of each separate development project; and where (otherwise than as authorised by paragraph (4)) more than one advertisement is displayed, the first to be displayed on any frontage shall be taken to be the one permitted.</p> <p>(2) No advertisement may be displayed except while the relevant works are being carried out.</p> <p>(3) No advertisement may exceed in aggregate—</p> <p>(a) in the case of an advertisement referring to one person—</p>

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- (i) if the display is more than 10 metres from a highway, 3 square metres in area; or
- (ii) in any other case, 2 square metres;
- (b) in the case of an advertisement referring to more than one person—
 - (i) if the display is more than 10 metres from a highway, 3 square metres plus 0.6 square metre for each person in excess of one; or
 - (ii) in any other case, 2 square metres plus 0.4 square metre for each person in excess of one, together with 0.2 of the area permitted under sub-paragraph (a) or (b) for the name, if any, of the development project.

(4) Where the advertisement does not refer to any person carrying out such work, that person may display a separate advertisement with a maximum area of 0.5 square metre, which does so refer, on each frontage of the land for a maximum period of 3 months.

(5) Illumination is not permitted.

(6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

(7) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.

Description

3D. An advertisement—

- (a) announcing any local event of a religious, educational, cultural, political, social or recreational character, or
- (b) relating to any temporary matter in connection with an event or local activity of such a character,

not being an event or activity promoted or carried on for commercial purposes.

Conditions and Limitations

3D. —

(1) No advertisement may exceed 0.6 square metre in area.

	<p>(2) No advertisement may be displayed earlier than 28 days before the first day on which the event or activity is due to take place.</p> <p>(3) The advertisement shall be removed within 14 days after the end of the event or activity.</p> <p>(4) Illumination is not permitted.</p> <p>(5) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(6) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Description	<p>3E. An advertisement relating to any demonstration of agricultural methods or processes, on the land on which it is displayed.</p>
Conditions and Limitations	<p>3E. —</p> <p>(1) Advertisements of this Class may not be displayed on any land for more than 6 months in any period of 12 months.</p> <p>(2) The maximum area of display permitted in respect of each demonstration is 1.2 square metres.</p> <p>(3) No single advertisement may exceed 0.4 square metre in area.</p> <p>(4) No advertisement may be displayed earlier than 28 days before the day (or first day) on which the demonstration is due to take place and shall be removed within 14 days after the end of the demonstration.</p> <p>(5) Illumination is not permitted.</p> <p>(6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(7) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Description	<p>3F. An advertisement relating to the visit of a travelling circus, fair or similar travelling entertainment to any specified place in the locality.</p>
Conditions and Limitations	<p>3F. —</p> <p>(1) No advertisement may exceed 0.6 square metre in area.</p> <p>(2) No advertisement may be displayed earlier than 14 days before the first performance</p>

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	<p>or opening of the entertainment at the place specified.</p> <p>(3) The advertisement shall be removed within 7 days after the last performance or closing of the specified entertainment.</p> <p>(4) At least 14 days before the advertisement is first displayed, the local planning authority is to be notified in writing of the first date on which, and of the site at which, it is to be displayed.</p> <p>(5) Illumination is not permitted.</p> <p>(6) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Class 4	Illuminated advertisements on business premises
Description	<p>4A. An illuminated advertisement displayed on the frontage of premises within a retail park, which overlook or face on to a communal car park wholly bounded by the retail park, where the advertisement refers wholly to any or all of the following: the business carried on, the goods sold or services provided, or the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises.</p>
Conditions and Limitations	<p>4A. —</p> <p>(1) Subject to paragraph (2), no advertisement is permitted within a conservation area, an Area of Outstanding Natural Beauty, a National Park or the Broads.</p> <p>(2) Paragraph (1) does not preclude the continued display of an advertisement that is displayed at the date of designation of the relevant area until the expiry of 5 years from that date.</p> <p>(3) Not more than one advertisement of the prescribed description parallel to a wall and one projecting at right angles from a wall is permitted, and in the case of any projecting advertisement—</p> <ul style="list-style-type: none"> (a) no surface may be greater than 1 square metre in area; (b) the advertisement may not project more than 1 metre from the wall; and (c) the advertisement may not be more than 1.5 metres high. <p>(4) The lowest part of the advertisement must be at least 2.5 metres above ground level.</p>

(5) No character or symbol on the advertisement may be more than 0.75 metre in height.

(6) No part of the advertisement may be higher above ground level than 4.6 metres or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower.

(7) Illumination is permitted only where—

- (a) it is by static means,
- (b) it includes no intermittent light source, flashing lights, moving parts or features, exposed cold cathode tubing, animation or retroflective material, and
- (c) it is in a manner reasonably required to fulfil the purpose of the advertisement.

(8) may be—

- (a) by halo illumination(22), or
- (b) so long as no part of the background of the advertisement is illuminated, by illumination of each character or symbol of the advertisement from within.

(9) Where the method of illumination is that described in paragraph (8)(b), the luminance of the advertisement may not exceed the levels specified in paragraph 2 of Part 2.

(10) In the case of an advertisement consisting of a built-up box containing the light source, the distance between—

- (a) the face of the advertisement and any wall parallel to which it is displayed, at the point where it is affixed, or
- (b) the two faces of an advertisement projecting from a wall,

may not exceed 0.25 metre.

Description

4B. An illuminated advertisement, other than one falling within Class 4A, displayed on business premises wholly with reference to any or all of the following: the business carried on, the goods sold or services provided, or the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises.

(22) See paragraph 3 of Part 2 of this Schedule.

Conditions and Limitations

4B. —

(1) Subject to paragraph (2), no advertisement is permitted within a conservation area, an Area of Outstanding Natural Beauty, a National Park or the Broads.

(2) Paragraph (1) does not preclude the continued display of an advertisement that is displayed at the date of designation of the relevant area until the expiry of 5 years from that date.

(3) In the case of a shop, no advertisement may be displayed except on a wall containing a shop window.

(4) Not more than one advertisement parallel to a wall and one projecting at right angles from a wall is permitted, and in the case of any projecting advertisement—

- (a) no surface may be greater than 0.75 square metre in area;
- (b) the advertisement may not project more than 1 metre from the wall or two thirds of the width of any footway or pavement below, whichever is the less;
- (c) the advertisement may not be more than 1 metre high; and
- (d) it may not project over any carriageway.

(5) The lowest part of the advertisement shall be at least 2.5 metres above ground level.

(6) No surface of the advertisement may exceed one-sixth of the frontage on which it is displayed, measured up to a height of 4.6 metres from ground level or one-fifth of the frontage measured to the top of the advertisement, whichever is less.

(7) No character or symbol on the advertisement may be more than 0.75 metre in height.

(8) No part of the advertisement may be higher above ground level than 4.6 metres or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower.

(9) Illumination is permitted only where—

- (a) it is by static means,
- (b) it includes no intermittent light source, flashing lights, moving parts

or features, exposed cold cathode tubing, animation or retroflective material, and

- (c) it is in a manner reasonably required to fulfil the purpose of the advertisement.

(10) Illumination may be—

- (a) by halo illumination⁽²³⁾, or
- (b) so long as no part of the background of the advertisement is illuminated, by illumination of each character or symbol of the advertisement from within.

(11) Where the method of illumination is that described in paragraph (10)(b), the luminance of the advertisement may not exceed the levels specified in paragraph 2 of Part 2.

(12) In the case of an advertisement consisting of a built-up box containing the light source, the distance between—

- (a) the face of the advertisement and any wall parallel to which it is displayed, at the point where it is affixed, or
- (b) the two faces of an advertisement projecting from a wall,

may not exceed 0.25 metre.

Class 5

Description

Other advertisements on business premises

5. Any advertisement which does not fall within Class 4A or 4B displayed on business premises wholly with reference to any or all of the following: the business carried on, the goods sold or services provided, or the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises.

Conditions and Limitations

5. —

(1) In the case of a shop, no advertisement may be displayed except on a wall containing a shop window.

(2) In an area of special control, the space occupied by the advertisement may not exceed one-tenth of the overall area of the face of the building on which it is displayed, up to a height of 3.6 metres from ground level; and the area occupied by the advertisement shall, notwithstanding that it is displayed in some

⁽²³⁾ See paragraph 3 of Part 2 of this Schedule.

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other manner, be calculated as if the whole advertisement were displayed flat against the face of the building.

(3) Illumination is not permitted unless—

(a) the advertisement states that the services of a practitioner in human health or a veterinary surgeon are available at the premises on which the advertisement is displayed, or that medical or veterinary supplies are available there;

(b) the illumination—

(i) is by static means,

(ii) includes no intermittent light source, flashing lights, moving parts or features, exposed cold cathode tubing, animation or retroflective material, and

(iii) is in a manner reasonably required to fulfil the purpose of the advertisement; and

(c) the levels of luminance do not exceed the levels set out in paragraph 2 of Part 2.

(4) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.

(5) No part of the advertisement may be higher above ground level than whichever is the lower of—

(a) 4.6 metres, or 3.6 metres in an area of special control; and

(b) the bottom level of any first floor window in the wall on which the advertisement is displayed.

(6) No single advertisement may exceed 1.55 square metres in area.

Class 6

An advertisement on a forecourt of business premises

Description

6. An advertisement displayed on any forecourt of business premises, wholly with reference to all or any of the matters specified in Class 5.

Conditions and Limitations

6. —

(1) Advertisements displayed on any forecourt or, in the case of a building with a forecourt on two or more frontages, on each of

	<p>those frontages, shall not exceed in aggregate 4.6 square metres in area.</p> <p>(2) Illumination is not permitted.</p> <p>(3) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p> <p>(5) No single advertisement may exceed 1.55 square metres in area.</p>
Class 7	Flag advertisements
Description	<p>7A. An advertisement in the form of a flag attached to a single flagstaff projecting vertically from the roof of a building.</p>
Conditions and Limitations	<p>7A. —</p> <p>(1) No advertisement is permitted other than one—</p> <p>(a) bearing either the name or device, or both the name and device, of any person occupying the building; or</p> <p>(b) referring to a specific event (other than the offering of named goods for sale) of limited duration, which is taking place in the building, for the duration of that event.</p> <p>(2) No character or symbol on the flag may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p>
Description	<p>7B. An advertisement in the form of a flag attached to a single vertical flagstaff erected on a site which forms part of an area of land in respect of which planning permission has been granted for development of which the only or principal component is residential development and on which—</p> <p>(a) operations for the construction of houses are in progress pursuant to that permission, or</p> <p>(b) such operations having been completed, at least one of the houses remains unsold⁽²⁴⁾.</p>
Conditions and Limitations	<p>7B. —</p> <p>(1) No advertisement is permitted within a conservation area, an Area of Outstanding</p>

⁽²⁴⁾ For definitions relevant to this Class see paragraph 4 of Part 2 of this Schedule.

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Natural Beauty, a National Park, the Broads or an area of special control.

(2) The number of advertisements on the land concerned shall not exceed—

- (a) where the aggregate number of houses on that land does not exceed 10, one;
- (b) where the aggregate number of houses on that land exceeds 10 but does not exceed 100, two;
- (c) where the aggregate number of houses on that land exceeds 100, three.

(3) No part of the flagstaff may be more than 4.6 metres above ground level.

(4) No flag shall exceed 2 square metres in area.

(5) No advertisement shall be displayed after the expiration of the period of 1 year commencing on the day on which building operations on the land concerned have been substantially completed.

Class 8

Description

Advertisements on hoardings

8. An advertisement on a hoarding which encloses, either wholly or in part, land on which building operations are taking place or are about to take place, if those operations are in accordance with a grant of planning permission (other than outline permission) for development primarily for use for commercial, industrial or business purposes.

Conditions and Limitations

8. —

(1) Subject to paragraph (2), no advertisement shall be displayed in a conservation area, a National Park, an Area of Outstanding Natural Beauty or the Broads.

(2) Paragraph (1) does not preclude the continued display of an advertisement that is displayed at the date of designation of the relevant area until the expiry of 1 year from that date, or 2 years from the date of commencement of the display, whichever is the later.

(3) No advertisement may be displayed earlier than three months before the commencement of the building operations.

(4) No advertisement shall exceed 38 square metres in area.

	<p>(5) No part of the advertisement may be more than 4.6 metres above ground level.</p> <p>(6) At least 14 days before the advertisement is first displayed, the person who proposes to display it shall notify the local planning authority in writing of the date on which it will first be displayed and shall send a copy of the relevant planning permission.</p> <p>(7) No advertisement shall be displayed for more than 3 years.</p> <p>(8) Illumination is not permitted unless it—</p> <ul style="list-style-type: none">(a) is by static means,(b) includes no intermittent light source, flashing lights, moving parts or features, exposed cold cathode tubing, animation or retroreflective material, and(c) is in a manner reasonably required to fulfil the purpose of the advertisement.
Class 9	Advertisements on highway structures
Description	<p>9. An advertisement displayed on a part of an object or structure designed to accommodate six-sheet panel displays, the use of which for the display of advertisements is authorised under section 115E(1)(a) of the Highways Act 1980(25).</p>
Conditions and Limitations	<p>9. —</p> <p>(1) No advertisement may exceed 2.16 square metres in area.</p> <p>(2) Illumination is not permitted.</p> <p>(3) No character or symbol on the advertisement may be more than 0.75 metre in height or 0.3 metre in an area of special control.</p> <p>(4) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Class 10	Advertisements for neighbourhood watch and similar schemes
Description	<p>10. An advertisement displayed on or near highway land (but not in the window of a building), to give notice that a closed circuit television surveillance scheme, or a neighbourhood watch or similar scheme,</p>

(25) 1980 c. 66. Section 115E was inserted by the Local Government (Miscellaneous Provisions) Act 1982 (c. 30), Sch. 5, Part 1, para 1.

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Conditions and Limitations	<p>established jointly by the police authority and a local committee or other body of persons, is in operation in the area.</p> <p>10. —</p> <p>(1) No advertisement may exceed 0.2 square metre in area.</p> <p>(2) No advertisement may be displayed on highway land without the consent of the highway authority.</p> <p>(3) The local planning authority shall, at least 14 days before the advertisement is first displayed, be given particulars in writing of the place at which it is to be displayed and a certificate—</p> <ul style="list-style-type: none"> (a) that the scheme has been properly established; (b) that the police authority has agreed to the display of the advertisement; and (c) where relevant, that the consent of the highway authority has been given. <p>(4) The advertisement shall be removed within 14 days after—</p> <ul style="list-style-type: none"> (a) the relevant scheme ceases to operate; (b) the relevant scheme ceases to be approved by the police authority; or (c) the highway authority withdraws its consent to its display. <p>(5) Illumination is not permitted.</p> <p>(6) No character or symbol on the advertisement may be more than 0.75 metre in height, or 0.3 metre in an area of special control.</p> <p>(7) No part of the advertisement may be more than 3.6 metres above ground level.</p>
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Class 11

Description

Conditions and Limitations

Directional advertisement

11. An advertisement on a single flat surface directing potential buyers and others to a site where residential development is taking place.

11. —

(1) No advertisement may exceed 0.15 square metre in area.

(2) No part of the advertisement may be of a retroflective material.

	<p>(3) The design of the advertisement may not be similar to that of a traffic sign.</p> <p>(4) The advertisement is to be displayed on land adjacent to highway land, in a manner which makes it reasonably visible to an approaching driver, but not within 50 metres of a traffic sign intended to be observed by persons approaching from the same direction.</p> <p>(5) No advertisement may be more than two miles from the main entrance of the site.</p> <p>(6) The person who proposes to display the advertisement shall notify the local planning authority, in writing, at least 14 days before the advertisement is first displayed, of the place at which, and the first date on which, it will be displayed.</p> <p>(7) No advertisement may be displayed after the development of the site is completed or, in any event, for more than 2 years.</p> <p>(8) Illumination is not permitted.</p> <p>(9) No character or symbol on the advertisement shall be less than 0.04 metre high or more than 0.25 metre high.</p> <p>(10) No part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control.</p>
Class 12	Advertisements inside buildings
Description	<p>12. An advertisement displayed inside a building, other than an advertisement falling within Class I in Schedule 1.</p>
Class 13	Advertisements on sites used for preceding ten years for display of advertisements without express consent
Description	<p>13. An advertisement displayed on a site that has been used continually for the preceding ten years for the display of advertisements without express consent.</p>
Conditions and Limitations	<p>13. —</p> <p>(1) An advertisement does not fall within this description if, during the relevant 10-year period, there has been either a material increase in the extent to which the site has been used for the display of advertisements or a material alteration in the manner in which it has been so used.</p> <p>(2) If any building or structure on which such an advertisement is displayed—</p>

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- (a) is removed in compliance with a requirement of, or under, any enactment,
- (b) is removed in any other circumstances, or
- (c) is destroyed by any means, the erection of any building or structure to continue the display is not permitted.
- (3) Illumination is not permitted unless—
 - (a) the advertisement is displayed with illumination on 6th April 2007; or
 - (b) the advertisement is first displayed after that date, and the advertisement most recently displayed was illuminated.
- (4) An advertisement that—
 - (a) comprises sequential displays; or
 - (b) otherwise includes moving parts or features; or
 - (c) features intermittent lighting in a manner designed to give the appearance of movement,
 is not permitted unless—
 - (i) it is displayed on 6th April 2007 and falls within the description specified in any of sub-paragraphs (a) to (c); or
 - (ii) it is first displayed after that date, and the advertisement most recently displayed fell within any such description.

Class 14

Advertisements displayed after expiry of express consent

Description

- 14.** An advertisement displayed after the expiry of express consent, unless—
- (a) it would contravene a condition subject to which express consent was granted; or
 - (b) an application for renewal of consent has been refused.

Conditions and Limitations

- 14.** —
- (1) The terms of the express consent, including any conditions to which it was subject (to the extent that those terms and conditions are not incapable of performance by reason of the passage of time), shall be treated as applying to the continued display.

(2) No advertisement may be displayed under this class except on a site which has been continually used for the purpose since the expiry of the express consent.

(3) Unless authorised by the express consent, an advertisement that—

- (a) comprises sequential displays; or
- (b) otherwise includes moving parts or features; or
- (c) features intermittent lighting in a manner designed to give the appearance of movement; or
- (d) is illuminated,

is not permitted.

Class 15

Description

Advertisements on balloons

15. The display of an advertisement on, or consisting of, a balloon not more than 60 metres above ground level.

Conditions and Limitations

15. —

(1) The site⁽²⁶⁾ of the advertisement is not in an Area of Outstanding Natural Beauty, a conservation area, a National Park, the Broads or an area of special control.

(2) Not more than one advertisement may be displayed on the site at any one time.

(3) The site may not be used for the display of advertisements on more than 10 days in total in any calendar year.

Class 16

Description

Advertisements on telephone kiosks

16. An advertisement displayed on the glazed surface of a telephone kiosk, other than a kiosk of type K2 (1927) or K6 (1935) designed by Giles Gilbert Scott.

Conditions and Limitations

16. —

(1) No advertisement may be displayed in an Area of Outstanding Natural Beauty, a conservation area, a National Park, the Broads or an area of special control.

(2) Illumination is not permitted.

(3) Subject to paragraph (4), with the exception of the name of the electronic communications code operator, its trading name or symbol, no advertisement may be displayed on more than one face of the kiosk.

(26) See paragraph 5 of Part 2 of this Schedule as to “the site” for the purposes of this Class.

(4) Where three or more kiosks are sited in a row or group, the display of an advertisement on any face of one kiosk shall preclude the display of an advertisement on the face of any adjacent kiosk.

PART 2

INTERPRETATION

1.—(1) In this Schedule—

“business premises” means any building or part of a building normally used for the purpose of any professional, commercial, or industrial undertaking, or for providing services to members of the public or of any association, and includes a public restaurant, licensed premises and a place of public entertainment, but does not include—

- (a) a building designed for use as one or more separate dwellings, unless—
 - (i) it has normally been used in each of the preceding ten years for the purpose of any professional, commercial, or industrial undertaking, or for providing services to members of the public or of any association; or
 - (ii) it has been adapted for use for any such purpose by the construction of a shop front or the making of a material alteration of a similar kind to its external appearance;
- (b) a building used as an institution of a religious, educational, cultural, recreational, or medical or similar character;
- (c) any forecourt or other land forming part of the curtilage of a building;
- (d) any fence, wall or similar screen or structure, unless it forms part of the fabric of a building;

“electronic communications apparatus” means apparatus falling within the definition of that term in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984⁽²⁷⁾;

“electronic communications code operator” means—

- (a) a provider of an electronic communications network in whose case the electronic communications code applies by virtue of a direction given by OFCOM under section 106 of the Communications Act 2003⁽²⁸⁾; and
- (b) a person who is treated after the commencement of that section as a person in whose case that code applies by virtue of a direction given by OFCOM⁽²⁹⁾;

“electronic communications service” means a service falling within the definition of that term in section 32(2) of the Communications Act 2003;

“forecourt”, in relation to any building or part of a building, means an area of land (whether or not enclosed) within the curtilage of the building or part, to which the public may have access only with the permission (express or implied) of the owner; and includes any fence, wall or similar screen or structure that defines the boundaries of that area;

⁽²⁷⁾ 1984 c. 12. The definition was inserted by the Communications Act 2003 (c. 21), Schedule 3, paragraph 2(2).

⁽²⁸⁾ 2003 c. 21. As to “the electronic communications code”, see section 106 of the Communications Act 2003 (“the 2003 Act”) and Schedule 2 to the Telecommunications Act 1984 (c. 12). As to “electronic communications network”, see the definition of that expression in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984, inserted by the 2003 Act, Schedule 3, paragraph 2(2). See also section 32(1) of the 2003 Act. As to “OFCOM”, see the definition in section 405(1) of the 2003 Act.

⁽²⁹⁾ See paragraph 17(1) and (2) of Schedule 18 to the Communications Act 2003.

“ground level”, in relation to the display of advertisements on any building, means the ground-floor level of that building;

“highway land” means any land within the boundaries of a highway;

“joined boards” means boards joined at an angle, so that only one surface of each is usable for advertising;

“practitioner in human health” includes a chiropodist, chiropractor, dentist or doctor of medicine, an optician or osteopath, and a physiotherapist;

“public transport undertaking” means an undertaking engaged in the carriage of passengers in a manner similar to that of a statutory undertaking;

“retail park” means a group of 3 or more retail stores, at least one of which has a minimum internal floor area of 1,000 square metres and which—

- (a) are set apart from existing shopping centres but within an existing or proposed urban area;
- (b) sell primarily goods other than food; and
- (c) share one or more communal car parks; and

“telephone kiosk” means any kiosk, booth, acoustic hood, shelter or similar structure which is erected or installed for the purpose of housing or supporting electronic communications apparatus and at which an electronic communications service is provided (or is to be provided) by an electronic communications code operator.

(2) Where a maximum area is specified, in relation to any class in this Schedule, in the case of a double-sided advertisement, the area of one side only shall be taken into account.

2.—(1) The permitted levels of luminance for advertisements falling within Classes 2B, 2C, 4A, 4B or 5 are—

- (a) where the illuminated area is not more than 10 square metres, 600 candela per square metre; and
- (b) where the illuminated area is more than 10 square metres, 300 candela per square metre.

(2) In calculating an area for the purposes of paragraph (1)—

- (a) each advertisement, or in the case of a double-sided projecting advertisement, each side of the advertisement, is to be taken separately; and
- (b) no unilluminated part of the advertisement is to be taken into account.

3. In relation to advertisements within Class 4A or 4B, “halo illumination” means illumination of the background to the text of the advertisement, where the light source cannot be viewed directly from any angle.

4.—(1) For the purposes of Class 7B—

“aggregate number” means the aggregate of the number of houses constructed, in the course of construction, or proposed to be constructed, on the land concerned;

“flat” means a separate and self-contained set of premises constructed for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally;

“house” includes a flat;

“planning permission” does not include any outline planning permission in relation to which some or all of the matters reserved for subsequent approval remain to be approved; and

“the land concerned”, in relation to any development, means—

- (a) except in a case to which sub-paragraph (2) or (3) applies, the land to which the planning permission for the development relates;

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- (b) in a case to which sub-paragraph (2) applies, the land on which a particular phase of that development was or, as the case may be, is being or is about to be carried out;
 - (c) in a case to which sub-paragraph (3) applies, the part of the land to which the permission relates on which a person has carried out part of that development, or, as the case may be, is carrying it out or is about to carry it out.
- (2) Subject to sub-paragraph (3), this sub-paragraph applies where the development is carried out in phases.
- (3) This sub-paragraph applies where the development is carried out by two or more persons who each carry out part of it on a discrete part of the land to which the planning permission relates (whether the whole of the development or any part of it is carried out in phases or otherwise).
5. For the purposes of Class 15, “the site” means—
- (a) in a case where the advertisement is being displayed by a person (other than the occupier of the land) who is using, or proposing to use, the land to which the balloon is attached for a particular activity (other than the display of advertisements) for a temporary period, the whole of the land used, or to be used, for that activity;
 - (b) in any other case, the land to which the balloon is attached and all land normally occupied with it.

SCHEDULE 4

Regulations 14 and 17

MODIFICATIONS OF THE ACT

PART 1

MODIFICATIONS OF SECTION 70A OF THE ACT (POWER OF LOCAL PLANNING AUTHORITY TO DECLINE TO DETERMINE APPLICATIONS)

1. In section 70A of the Act—
- (a) in subsection (1)—
 - (i) for “planning permission for the development of any land” substitute “express consent”;
 - (ii) in paragraph (a), omit the words “has refused a similar application referred to him under section 77 or”; and
 - (iii) for paragraph (b) substitute—
 - “(b) in the opinion of the authority there has been no significant change in any material consideration since the dismissal mentioned in paragraph (a).”;
 - (b) after subsection (1) insert the following subsection—
 - “(1A) A local planning authority may decline to determine an application for express consent if, by virtue of regulation 21(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, they have no power to grant the consent applied for.”; and
 - (c) in subsection (2)—
 - (i) after “the purposes of” insert “subsection (1) of”;

- (ii) for “planning permission for the development of any land” substitute “express consent”;
- (iii) for “development” substitute “subject matter of the applications”; and
- (iv) for “the applications” substitute “they”.

PART 2

SECTION 70A OF THE ACT AS MODIFIED

70A.—(1) A local planning authority may decline to determine an application for express consent if—

- (a) within the period of two years ending with the date on which the application is received, the Secretary of State has dismissed an appeal against the refusal of a similar application; and
- (b) in the opinion of the authority there has been no significant change in any material consideration since the dismissal mentioned in paragraph (a).

(1A) A local planning authority may decline to determine an application for express consent if, by virtue of regulation 21(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, they have no power to grant the consent applied for.

(2) For the purposes of subsection (1) of this section an application for express consent shall be taken to be similar to a later application if the subject matter of the applications and the land to which they relate are in the opinion of the local planning authority the same or substantially the same.

PART 3

MODIFICATIONS OF SECTIONS 78 AND 79 OF THE ACT(APPLICATIONS FOR EXPRESS CONSENT)

1. In section 78 of the Act—

- (a) in subsection (1), for paragraphs (a) to (c) substitute “refuse an application for express consent or grant it subject to conditions.”;
- (b) for subsection (2) substitute—

“(2) A person who has made an application for express consent may also appeal to the Secretary of State if within the period of 8 weeks from the date when the application was received by the local planning authority, that authority have neither given him notice of their decision on it nor given him notice that they have exercised their power under section 70A to decline to determine the application.”;

- (c) for subsection (3) substitute the following subsections—

“(3) Any appeal under subsection (1) or (2) shall be made by notice served within 8 weeks from the date of receipt of the local planning authority’s decision, or, as the case may be, within 8 weeks from the expiry of the period mentioned in subsection (2), or within such longer period as the Secretary of State may in either case at any time allow.

(3A) The notice mentioned in subsection (3) shall be accompanied by a copy of each of the following documents—

- (a) the application made to the local planning authority;
- (b) all relevant plans and particulars submitted to them;
- (c) the notice of the authority’s decision (if any); and

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- (d) any other relevant correspondence with the authority.”;
 - (d) for subsection (4) substitute—
 - “(4) Where an appeal is made to the Secretary of State as mentioned in subsection (3), he may require the appellant or the local authority to submit to him, within such period as he may specify, a statement in writing in respect of such matters relating to the application as he may specify, and if, after considering the grounds of appeal and any such statement, the Secretary of State is satisfied that he has sufficient information to enable him to determine the appeal he may, with the agreement in writing of both the appellant and the local planning authority, determine the appeal without complying with section 79(2).”; and
 - (e) in subsection (5), omit the references to sections 253(2)(c) and 266(1)(b).
2. In section 79 of the Act—
- (a) after subsection (1) insert—
 - “(1A) The Secretary of State may, in granting an express consent, specify that its term shall run for such longer or shorter period than 5 years as he considers expedient, having regard to the interests of amenity (including aural amenity) and public safety, and taking into account—
 - (a) relevant provisions of any applicable development plan;
 - (b) the factors referred to in regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; and
 - (c) any period specified in the application for consent.”;
 - (b) omit subsection (4);
 - (c) in subsection (5), for “such an appeal shall be final”, substitute “an appeal under section 78 shall be final, and shall otherwise have effect as if it were a decision of the local planning authority”;
 - (d) in subsection (6)—
 - (i) omit “such”; and
 - (ii) for the words from “an application for planning permission” to “planning permission for that development”, substitute “in respect of an application for express consent, the Secretary of State forms the opinion that, having regard to the Regulations mentioned in subsection (1A) and to any direction given under them, consent”; and
 - (e) in subsection (6A), after the word “appeal”, the first time it appears, insert “as is mentioned in subsection (6)”.

PART 4

SECTIONS 78 AND 79 OF THE ACT AS MODIFIED

78.—(1) Where a local planning authority refuse an application for express consent or grant it subject to conditions, the applicant may by notice appeal to the Secretary of State.

(2) A person who has made an application for express consent may also appeal to the Secretary of State if within the period of 8 weeks from the date when the application was received by the local planning authority, that authority have neither given him notice of their decision on it nor given him notice that they have exercised their power under section 70A to decline to determine the application.

(3) Any appeal under subsection (1) or (2) shall be made by notice served within 8 weeks from the date of receipt of the local planning authority’s decision, or, as the case may be, within 8 weeks from

the expiry of the period mentioned in subsection (2), or within such longer period as the Secretary of State may in either case at any time allow.

(3A) The notice mentioned in subsection (3) shall be accompanied by a copy of each of the following documents—

- (a) the application made to the local planning authority;
- (b) all relevant plans and particulars submitted to them;
- (c) the notice of the authority's decision (if any); and
- (d) any other relevant correspondence with the authority.

(4) Where an appeal is made to the Secretary of State as mentioned in subsection (3), he may require the appellant or the local planning authority to submit to him, within such period as he may specify, a statement in writing in respect of such matters relating to the application as he may specify, and if, after considering the grounds of appeal and any such statement, the Secretary of State is satisfied that he has sufficient information to enable him to determine the appeal he may, with the agreement in writing of both the appellant and the local planning authority, determine the appeal without complying with section 79(2).

(5) For the purposes of the application of sections 79(1) and 288(10)(b) in relation to an appeal under subsection (2), it shall be assumed that the authority decided to refuse the application in question.

79.—(1) On appeal under section 78 the Secretary of State may—

- (a) allow or dismiss the appeal, or
- (b) reverse or vary any part of the decision of the local planning authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(1A) The Secretary of State may, in granting an express consent, specify that its term shall run for such longer or shorter period than 5 years as he considers expedient, having regard to the interests of amenity (including aural amenity) and public safety, and taking into account—

- (a) relevant provisions of any applicable development plan;
- (b) the factors referred to in regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; and
- (c) any period specified in the application for consent.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the local planning authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(3) Subsection (2) does not apply to an appeal referred to a Planning Inquiry Commission under section 101.

...

(5) The decision of the Secretary of State on an appeal under section 78 shall be final, and shall otherwise have effect as if it were a decision of the local planning authority.

(6) If, before or during the determination of an appeal in respect of an application for express consent, the Secretary of State forms the opinion that, having regard to the Regulations mentioned in subsection (1A) and to any direction given under them, consent—

- (a) could not have been granted by the local planning authority; or
- (b) could not have been granted otherwise than subject to the conditions imposed,

he may decline to determine the appeal or to proceed with the determination.

(6A) If at any time before or during the determination of such an appeal as is mentioned in subsection (6) it appears to the Secretary of State that the appellant is responsible for undue delay in the progress of the appeal, he may—

- (a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are specified in the notice for the expedition of the appeal; and
- (b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.

(7) Schedule 6 applies to appeals under section 78, including appeals under that section as applied by or under any other provision of this Act.

PART 5

MODIFICATIONS OF THE ACT (DISCONTINUANCE NOTICES)

1. In section 78, for subsections (1) to (5) substitute—

“(1) Where a discontinuance notice has been served on any person by a local planning authority under regulation 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 that person may, if he is aggrieved by the notice, appeal by notice under this section to the Secretary of State.

(2) Notice of appeal shall be given in writing to the Secretary of State at any time before the date on which the discontinuance notice is due to take effect under regulation 8(4), taking account where appropriate of any extension of time under regulation 8(6), of those Regulations, or such longer period as the Secretary of State may allow.

(3) A notice of appeal shall be accompanied by a copy of each of the following documents—

- (a) the discontinuance notice;
- (b) any notice of variation; and
- (c) any relevant correspondence with the authority.

(4) Where an appeal is brought under this section, the Secretary of State may require the appellant or the local planning authority to submit to him, within such period as he may specify, a statement in writing in respect of such matters relating to the discontinuance notice as he may specify and if, after considering the grounds of appeal and any such statement, the Secretary of State is satisfied that he has sufficient information to enable him to determine the appeal, he may, with the agreement in writing of both the appellant and the local planning authority, determine the appeal without complying with section 79(2).”

2. In section 79—

(a) for subsection (1) substitute—

“(1) Where an appeal is brought in respect of a discontinuance notice the Secretary of State may—

- (a) allow or dismiss the appeal, or
- (b) subject to subsection (1A)—
 - (i) correct any defect, error or misdescription in the discontinuance notice; or
 - (ii) reverse or vary any part of the notice (whether the appeal relates to that part of it or not),

and deal with the matter as if an application for express consent had been made and refused for the reasons stated for the taking of discontinuance action.

(1A) The Secretary of State may take any action mentioned in subsection (1)(b) only if he is satisfied that the correction, reversal or variation will not cause injustice to the appellant or the local planning authority.”.

(b) for subsection (4) substitute—

“(4) On the determination of an appeal under section 78 the Secretary of State shall give such directions as may be necessary for giving effect to his determination including, where appropriate, directions for quashing the discontinuance notice or for varying its terms.”;

(c) omit subsection (6); and

(d) in subsection (6A), after the word “appeal”, the first time it appears, insert “in respect of a discontinuance notice”.

SCHEDULE 5

Regulation 20

AREA OF SPECIAL CONTROL ORDERS

PART 1

PROCEDURE FOR AREA OF SPECIAL CONTROL ORDERS

1. Where a local planning authority proposes—

- (a) to designate an area of special control; or
- (b) to modify an area of special control order,

it shall make an area of special control order designating the area or indicating the modifications by reference to a map annexed to the order.

2. If an area of special control order contains any descriptive matter relating to the area or the modifications in question, that descriptive matter shall prevail, in the case of any discrepancy with the map, unless the order provides to the contrary.

3. As soon as may be after the making of an area of special control order, the authority shall submit it to the Secretary of State for approval, together with—

- (a) two certified copies of the order;
- (b) a full statement of the authority’s reasons for making it;
- (c) in the case of an order modifying an existing order, unless the boundaries of the existing area of special control are indicated on the map annexed to the order, a plan showing both those boundaries and the proposed modifications; and
- (d) such additional certified copies of any of the material referred to in subparagraphs (a) to (c) as the Secretary of State may, by notice in writing to the authority, require.

4. The authority shall, as soon as reasonably practicable after the making of an area of special control order, publish in the London Gazette, and in two successive weeks in at least one newspaper circulating in the locality, a notice in Form 1.

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5. If any objection is made to an order, in the manner and within the time specified in the notice, the Secretary of State—

- (a) may offer all interested parties an opportunity to make representations to her in writing about any such objection before such date as she may specify;
- (b) may, and at the request of any interested party shall, either provide for a local inquiry to be held or afford to the parties an opportunity of a hearing before a person appointed by her.

6. After considering any representations or objections duly made and not withdrawn and, where applicable, the report of any person holding an inquiry or hearing, the Secretary of State may, subject to paragraph 7, approve the order with or without modification.

7. If the Secretary of State proposes to modify an order by the inclusion of additional land, she shall—

- (a) publish notice of her proposed modification;
- (b) afford an opportunity for the making of objections to, or representations about, the proposed modification; and
- (c) if she considers it expedient, provide for a further inquiry or hearing to be held.

8. As soon as may be after the order has been approved, the local planning authority shall publish in the London Gazette, and in two successive weeks in at least one newspaper circulating in the locality, a notice of its approval in Form 2.

9. An area of special control order shall come into force on the date on which the notice of its approval is published in the London Gazette.

10. Where a local planning authority proposes to make an order revoking an area of special control order, a map showing the area then subject to special control shall be annexed to the order.

11. Paragraphs 3 to 6, 8 and 9 shall apply in relation to an order under paragraph 10 as they apply in relation to the making and approval of an area of special control order, as if—

- (a) for references to the area of special control order (in whatever terms) there were substituted references to the revocation order;
- (b) paragraph 3(c) were omitted;
- (c) in paragraph 3(d), for “(a) to (c)”, there were substituted “(a) and (b)”;
- (d) in paragraph 4, for “Form 1”, there were substituted “Form 3”;
- (e) in paragraph 6 the words “, subject to paragraph 7,” were omitted; and
- (f) in paragraph 8, for “Form 2” there were substituted “Form 4”.

12. Any reference in this Part to a form followed by a number is a reference to the form bearing that number in Part 2 of this Schedule or a form substantially to the like effect.

PART 2

FORMS OF NOTICE

FORM 1 NOTICE OF AN AREA OF SPECIAL CONTROL ORDER

Status: This is the original version (as it was originally made).

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The *(insert name of Council)* has submitted to the Secretary of State for approval an area of special control order.

2.* The order designates as an area of special control for the purpose of the display of advertisements the land described in the Schedule to this notice and shown on the map annexed to the order.

OR

2.* The order modifies the *(insert name of relevant order)* by *adding/renewing the land described in the Schedule to this notice and shown on the map annexed to the order.

3. A copy of the order and of the statement of the Council's reasons for making it have been deposited at and will be available for inspection, free of charge, between the hours of and on any working day during the period

4. Any objection to the order must be made in writing, stating the grounds of objection, and sent to the Secretary of State, Eland House, Bressenden Place, London SW1E 5DU, quoting the reference before *(insert a date at least 28 days from the date of first publication of the local advertisement)*.

Signed

On behalf of

Date:

**Delete inappropriate words*

SCHEDULE

(insert description of land)

FORM 2NOTICE OF APPROVAL OF AN AREA OF SPECIAL CONTROL ORDER

Status: This is the original version (as it was originally made).

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The Secretary of State has approved *with modifications the (insert name of order).
2. The order *designates as an area of special control for the purpose of the display of advertisements the land described in the Schedule to this notice;*modifies the (insert name of relevant order) by *adding/ removing the land described in the Schedule to this notice.
3. The order comes into force on (insert date of publication of approval in the London Gazette).
4. A copy of the order as approved has been deposited at and may be inspected there, free of charge, on any working day between the hours of and

Signed

On behalf of

Date:

**Delete inappropriate words*

SCHEDULE

(insert description of land)

IMPORTANT

Regulation 21 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (SI 2007/xxx) describes

The advertisements that are permitted in an area of special control.

The circumstances in which existing advertisements must be removed after this order comes into force.

FORM 3 NOTICE OF REVOCATION OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The (insert name of Council) has submitted to the Secretary of State for approval an order revoking the (insert name of relevant order).
2. A copy of the revocation order and of the statement of the Council's reasons for making it have been deposited at and will be available for inspection there, free of charge, between the hours of on working days during the period
3. Any objection to the revocation order must be made in writing, stating the grounds of objection, and sent to the Secretary of State, Eland House, Brusseuden Place, London SW1E 5DU, quoting the reference before (insert a date at least 28 days from the date of first publication of the local advertisement).

Signed

On behalf of

Date:

FORM 4 NOTICE OF APPROVAL OF AN ORDER REVOKING AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1999

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The Secretary of State has approved an order revoking the *(insert name of order revoked)*. Once the revocation order is in force the land to which the *(insert name of order revoked)* relates will cease to be subject to special control as regards the display of advertisements.

2. The revocation order comes into force on *(insert date of publication of approval in the London Gazette)*.

3. A copy of the revocation order as approved has been deposited at and may be inspected there, free of charge, on any working day between the hours of and

Signed

On behalf of

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace, as to England only, the Town and Country Planning (Control of Advertisements) Regulations 1992 (“the principal Regulations”). Many provisions of the principal Regulations are carried forward subject, in some cases, to minor drafting changes. The opportunity has been taken to re-order some of the material.

Regulation 1(3) specifies cases in which Parts 2 and 3 of the Regulations do not apply. Where the display of an advertisement within any of the Classes in Schedule 1 except Class F complies with the conditions and limitations specified in that Schedule as applicable to advertisements of that Class and also with the conditions specified in Schedule 2 (“the standard conditions”), Parts 2 and 3 of the Regulations do not apply. Those Parts do not apply to Class F advertisements if the conditions and limitations set out in Schedule 1 for that Class are met and if the requirements of paragraphs 1 to 3 and 5 of the standard conditions are complied with.

Regulation 2 defines some of the terms used in the Regulations.

Regulation 3 requires local planning authorities to exercise their powers under the Regulations in the interests of amenity and public safety, taking into account material provisions of the development plan and any other relevant factors.

Regulation 4 prohibits the display of advertisements unless the display has either deemed consent (Part 2 of the Regulations) or express consent (Part 3 of the Regulations), unless the advertisement is one to which regulation 1(3) applies. Paragraph (3) of regulation 4 allows account to be taken of any material change in circumstances likely to occur within the period for which the consent is required.

Regulation 5 specifies the effect of consent for the display of advertisements.

In Part 2, regulation 6 grants deemed consent for the display of an advertisement of any class specified in Part 1 of Schedule 3, subject to the standard conditions and the conditions and limitations specified in Part 1 of Schedule 3 in relation to that class. Regulation 7 enables a local planning authority to ask the Secretary of State to direct that express consent is required

before advertisements for which deemed consent would otherwise be available may be displayed. Directions may not be given in respect of advertisements in Class 12 (advertisements inside buildings) or 13 (advertisements on sites used for preceding ten years for display of advertisements without consent) in Part 1 of Schedule 3. There are procedures for giving notice of proposals for directions, and of the making of directions. Regulation 8 enables a local planning authority to remedy what appears to the authority to be a substantial injury to the amenity of the locality or a danger to members of the public, by serving a discontinuance notice. A discontinuance notice may require the display of a particular advertisement for which there is deemed consent, or the use of a particular site for the display of advertisements for which there is deemed consent, to be discontinued. A discontinuance notice may not be served in relation to an advertisement which is within both Class 12 in Part 1 of Schedule 3 (advertisements inside buildings) and Class E or Class F in Schedule 1 (advertisements relating to certain elections or referendums, or required to be displayed by Parliamentary standing orders, enactments or conditions imposed by any enactment on the exercise of any function).

Part 3 of the Regulations deals with express consent for the display of advertisements. Regulation 9 specifies the procedure for making an application for express consent. Alternative forms and procedures may be used for the first six months following the coming into force of these Regulations. Regulation 10 applies, with modifications, section 77 of the Town and Country Planning Act 1990 (“the 1990 Act”), which enables the Secretary of State to direct that an application be made to her where it is an application for express consent made by an interested planning authority (defined in section 316 of the 1990 Act, as substituted by section 20 of the Planning and Compensation Act 1991 (c. 34)). Regulation 11 enables the Secretary of State to give directions to a local planning authority, either generally or in relation to a particular case or class of case, specifying the kinds of particulars, plans or information that are to accompany an application for express consent.

Regulation 12 specifies the steps to be taken by a local planning authority on receipt of an application and regulation 13 requires the authority to consult before granting express consent.

Regulation 14 sets out a local planning authority’s powers once an application has been received. The authority may grant consent or refuse consent or, in the two cases mentioned below, decline to deal with the application. The first case is where the authority cannot lawfully grant consent for the display of the advertisement because of the provisions of regulation 21(1). The second case is where, within the period of two years ending with the date on which the application is received, the Secretary of State has dismissed an appeal against the refusal of a similar application and, in the authority’s opinion, there has been no significant change in any material consideration since that dismissal. These two cases depend on a modified version of section 70A of the 1990 Act. The modifications are specified in Part 1 of Schedule 4, and the provisions of section 70A, as so modified, are set out in Part 2 of that Schedule.

Regulation 15 deals with applications by interested local planning authorities. Regulation 16 specifies the steps to be taken by a local planning authority once express consent has been granted.

Regulation 17 deals with appeals to the Secretary of State. Sections 78 and 79 of the 1990 Act are applied with the modifications specified in Part 3 of Schedule 4. The provisions of those sections as so modified are set out in Part 4 of that Schedule. Where there is an appeal against a discontinuance notice, those sections are modified as shown in Part 5 of that Schedule.

Regulation 18 enables a local planning authority to make an order revoking or modifying an express consent. Such an order has no effect unless it is approved by the Secretary of State. Regulation 19 deals with claims for compensation arising from an order under regulation 18.

Part 4 of the Regulations is concerned with areas of special control. Regulation 20 enables a local planning authority to make an area of special control order. Such an order may be made only on amenity grounds, and has no effect unless approved by the Secretary of State. The procedure is set out in Schedule 5. That Schedule also deals with the procedure for revoking or modifying an area of special control order. Regulation 21 provides that, in an area of special control, only advertisements

of any class in Schedule 1 or any of Classes 1 to 3, 5 to 7 and 9 to 14 in Schedule 3 may be displayed without express consent. Certain other advertisements may be displayed if express consent has been granted (regulation 21(2)). Regulation 21(4) contains special provisions allowing certain advertisements that were displayed immediately before the coming into force of an area of special control order to be continued for a limited period.

In Part 5, regulation 22 allows certain documents to be sent or notices to be given by email or publication on a web-site.

Regulation 23 prescribes a time limit for making a claim under section 223 of the Act for compensation for the repayment of expenses reasonably incurred in removing prohibited advertisements. Claims must be made within 6 months from the completion of the works.

Regulation 24 requires each local planning authority to keep a register of applications, decisions and directions relevant to the display of advertisements. The register is to be available for public inspection.

Regulation 25 enables the Secretary of State to require local planning authorities to provide her with information for the purpose of any of her functions under the Regulations.

Regulation 26 enables the Secretary of State to make a discontinuance order or to make or revoke an area of special control order.

Regulation 27 enables the Secretary of State to make a discontinuance order in respect of the display of advertisements by a local planning authority.

Regulation 28 enables the Secretary of State to extend the time within which anything is required to be done under the Regulations or within which any objection, representation or claim for compensation may be made.

Regulation 29 provides that any direction given under the Regulations may be cancelled or varied by a subsequent direction.

Regulation 30 specifies the penalty on summary conviction for an offence under section 224(3) of the 1990 Act for displaying an advertisement in contravention of the Regulations. The penalty is a fine of an amount not exceeding level 4 on the standard scale (£2,500 as at the date on which the Regulations were made). In the case of a continuing offence, the maximum fine is one tenth of level 4 on the standard scale for each day during which the offence continues after conviction.

Regulation 31 allows certain advertisements that were displayed immediately before the coming into force of the Regulations to be continued for a limited period.

Regulation 32 provides for the principal Regulations (the Town and Country Planning (Control of Advertisements) Regulations 1992) to cease to have effect in relation to England, but to continue to apply for the purpose of considering or determining any application or appeal (or further appeal) made before the coming into force of these Regulations. Directions given by the Secretary of State under the principal Regulations in relation to matters affecting any part of England, and special control orders made under those Regulations in relation to any part of England are unaffected. Where, after the coming into force of these Regulations, the Secretary of State re-determines an application or appeal made under the principal Regulations, the re-determination is to be made by reference to these Regulations.

A full regulatory impact assessment has been prepared in relation to the Regulations. It has been placed in the Library of each House of Parliament and copies may be obtained from the Department for Communities and Local Government, Eland House, Bressenden Place, London SW1E 5DU or viewed at www.communities.gov.uk

The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

⁵ As established through statements of common ground (see paragraph 27).

⁶ The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

⁷ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

6. Building a strong, competitive economy

80. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴⁰, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.
81. Planning policies should:
- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
 - b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
 - c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
 - d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.
82. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

Supporting a prosperous rural economy

83. Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

⁴⁰ The Government's Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility; and catering for an ageing society. HM Government (2017) *Industrial Strategy: Building a Britain fit for the future*.

- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
128. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
129. Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for Life⁴⁷. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.
130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
132. The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

⁴⁶ Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

⁴⁷ Birkbeck D and Kruczkowski S (2015) *Building for Life 12: The sign of a good place to live*.

can compromise the strong 'town centres first' policy (see also Policy 2.15) which is essential to London's development as a sustainable, liveable city as well as exacerbating road traffic congestion and, for the large numbers of Londoners who do not have a car, undermining this Plan's social inclusion policies. Inappropriate out of centre development includes that which causes harm to the objectives of this Plan, which fails to fulfil the requirements of the sequential test, or which gives rise to significant adverse impacts (for example, on the vitality and viability of existing town centres, accessibility by a choice of means of transport or impacts on overall travel patterns).

- 4.46 London has a legacy of out- and edge of centre retail and other town centre type activities which are heavily car dependent. They should be managed in ways that reduce this dependency and improve public transport, cycling and pedestrian access. In some circumstances, generally relating to edge of centre developments, there may be potential for a wider mix of uses and greater integration with existing centres.

POLICY 4.8 SUPPORTING A SUCCESSFUL AND DIVERSE RETAIL SECTOR AND RELATED FACILITIES AND SERVICES

Strategic

- A The Mayor will, and boroughs and other stakeholders should, support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres (Policy 2.15).

Planning decisions and LDF preparation

- B LDFs should take a proactive approach to planning for retailing and related facilities and services and:
- a bring forward capacity for additional comparison goods retailing particularly in International, Metropolitan and Major centres
 - b support convenience retail particularly in District, Neighbourhood and more local centres, to secure a sustainable pattern of provision and strong, lifetime neighbourhoods (see Policy 7.1)
 - c provide a policy framework for maintaining, managing and enhancing local and neighbourhood shopping and facilities which provide local goods and services, and develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping or valued local community assets, including public houses, justified by robust evidence
 - d identify areas under-served in local convenience shopping and services provision and support additional facilities at an appropriate scale in locations accessible by walking, cycling and public transport to serve existing or new residential communities
-

- e support the range of London's markets, including street, farmers' and, where relevant, strategic markets, complementing other measures to improve their management, enhance their offer and contribute to the vitality of town centres
- f support the development of e-tailing and more efficient delivery systems
- g manage clusters of uses having regard to their positive and negative impacts on the objectives, policies and priorities of the London Plan including a centre's:
 - i. broader vitality and viability (Policy 2.15Ca)
 - ii. broader competitiveness, quality or diversity of offer (Policy 2.15Cc)
 - iii. sense of place or local identity (Policy 2.15Ac)
 - iv. community safety or security (Policy 2.15Cf)
 - v. success and diversity of its broader retail sector (Policy 4.8A)
 - vi. potential for applying a strategic approach to transport and land use planning by increasing the scope for "linked trips" (Policy 6.1)
 - vii. role in promoting health and well-being (Policy 3.2D)
 - viii. potential to realise the economic benefits of London's diversity (paragraph 3.3).

- 4.47 A vibrant, diverse retail sector is essential to London's success. Not only is it vital to ensuring that Londoners have access to the goods and services they need, but it plays a key role in London's economy, employing over 400,000 people¹⁵⁰ and supporting the economic vitality and health of the whole range of town centres across London, from its international centres in the West End and Knightsbridge to the large number of smaller local centres and parades of shops in outer London.
- 4.48 Larger centres are appropriate locations for accommodating much of the growth in comparison goods retail expenditure and floorspace because they are the most accessible by public transport and have greater capacity to provide choice and competition. While provision to meet need for convenience goods can be made in larger centres, smaller centres, especially district, neighbourhood and more local centres, are particularly suitable for accommodating growth in convenience floorspace, providing the new shops are of appropriate scale. This is because they form a denser network and are particularly accessible by walking and cycling as well as public transport. The availability of accessible local shops and related uses meeting local needs for goods and services (including post offices and public houses) is also important in securing 'lifetime neighbourhoods' (see Policy 7.1) – places that are welcoming, accessible and inviting to everyone regardless of age, health or disability and which provide local facilities available to all.

Policy D8 Public realm

Development Plans and development proposals should:

- A encourage and explore opportunities to create new public realm where appropriate.
- B ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.
- C maximise the contribution that the public realm makes to encourage active travel and ensure its design discourages travel by car and excessive on-street parking, which can obstruct people's safe enjoyment of the space. This includes design that reduces the impact of traffic noise and encourages appropriate vehicle speeds.
- D be based on an understanding of how the public realm in an area functions and creates a sense of place, during different times of the day and night, days of the week and times of the year. In particular, they should demonstrate an understanding of how people use the public realm, and the types, location and relationship between public spaces in an area, identifying where there are deficits for certain activities, or barriers to movement that create severance for pedestrians and cyclists.
- E ensure both the movement function of the public realm and its function as a place are provided for and that the balance of space and time given to each reflects the individual characteristics of the area. The priority modes of travel for the area should be identified and catered for, as appropriate. Desire lines for people walking and cycling should be a particular focus, including the placement of street crossings, which should be regular, convenient and accessible.

- F ensure there is a mutually supportive relationship between the space, surrounding buildings and their uses, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm.
- G ensure buildings are of a design that activates and defines the public realm, and provides natural surveillance. Consideration should also be given to the local microclimate created by buildings, and the impact of service entrances and facades on the public realm.
- H ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management in accordance with the Public London Charter.
- I incorporate green infrastructure such as street trees and other vegetation into the public realm to support rainwater management through sustainable drainage, reduce exposure to air pollution, moderate surface and air temperature and increase biodiversity.
- J ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic considerations, including temperature and wind, taken into account in order to encourage people to spend time in a place.
- K ensure that street clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function is removed, to ensure that pedestrian amenity is improved. Consideration should be given to the use, design and location of street furniture so that it complements the use and function of the space. Applications which seek to introduce unnecessary street furniture should be refused.
- L explore opportunities for innovative approaches to improving the public realm such as open street events and Play Streets.
- M create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night. This should

	include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
N	ensure that any on-street parking is designed so that it is not dominant or continuous, and that there is space for green infrastructure as well as cycle parking in the carriageway. Parking should not obstruct pedestrian lines.
O	ensure the provision and future management of free drinking water at appropriate locations in the new or redeveloped public realm.

- 3.8.1 The **public realm** includes all the publicly-accessible space between buildings, whether public or privately owned, from alleyways and streets to squares and open spaces, including the Thames and London's waterways. Some internal or elevated spaces can also be considered as part of the public realm, such as markets, shopping malls, sky gardens, viewing platforms, museums or station concourses. Such forms of public realm are particularly relevant in areas of higher density.
- 3.8.2 The quality of the public realm has a significant influence on quality of life because it affects people's sense of place, security and belonging, as well as having an influence on a range of health and social factors. For this reason, the public realm, and the buildings that frame those spaces, should be attractive, accessible, designed for people and contribute to the highest possible standards of comfort, good acoustic design, security and ease of movement. Higher levels of comfort should be sought in places where people will wish to sit, play, relax, meet, and dwell outside compared to other parts of the public realm that are primarily used for movement. As London's population grows, the demands on London's public realm to accommodate a greater **variety and intensity of uses** will increase. It is particularly important to recognise these demands in higher density development.
- 3.8.3 The public realm should be seen as a series of **connected routes and spaces** that help to define the character of a place. Around eighty per cent of public realm in London is in the form of streets and roads. A small proportion (less than eight per cent) of these have the primary purpose of moving large numbers of vehicles through them, while most are intended

local economies and provide diverse employment opportunities for local residents. Boroughs are encouraged to identify these sectors and clusters and set out policies in Local Plans that support their growth, having regard in particular to public transport provision and ensuring the vitality and viability of town centres.

Policy E9 Retail, markets and hot food takeaways

- A** A successful, competitive and diverse retail sector, which promotes sustainable access to goods and services for all Londoners, should be supported in line with the wider objectives of this Plan, particularly for town centres (Policy SD6 Town centres and high streets, Policy SD8 Town centre network, Policy SD7 Town centres: development principles and Development Plan Documents and Policy SD9 Town centres: Local partnerships and implementation).
- B** In Development Plans, boroughs should:
- 1) identify future requirements and locations for new retail development having regard to the town centre policies in this Plan and strategic and local evidence of demand and supply
 - 2) identify areas for consolidation of retail space where this is surplus to requirements
 - 3) set out policies and site allocations to secure an appropriate mix of shops and other commercial units of different sizes, informed by local evidence and town centre strategies. Particular consideration should be given to the contribution large-scale commercial development proposals (containing over 2,500 sqm gross A Use Class floorspace) can make to the provision of small shops and other commercial units. Where justified by evidence of local need, policies should secure affordable commercial and shop units.
- C** Development Plans and development proposals should:
- 1) bring forward capacity for additional comparison goods retailing particularly in International, Metropolitan and Major town centres

- 2) support convenience retail in all town centres, and particularly in District, Local and Neighbourhood centres, to secure inclusive neighbourhoods and a sustainable pattern of provision where there is less need to travel
- 3) provide a policy framework to enhance local and neighbourhood shopping facilities and prevent the loss of retail and related facilities that provide essential convenience and specialist shopping
- 4) identify areas under-served in local convenience shopping and related services and support additional facilities to serve existing or new residential communities in line with town centre Policy SD7 Town centres: development principles and Development Plan Documents
- 5) support London's markets in their full variety, including street markets, covered markets, specialist and farmers' markets, complementing other measures to improve their management, enhance their offer and contribute to local identity and the vitality of town centres and the Central Activities Zone
- 6) manage existing edge of centre and out of centre retail (and leisure) by encouraging comprehensive redevelopment for a diverse mix of uses in line with Policy SD6 Town centres and high streets, Policy SD8 Town centre network, Policy SD7 Town centres: development principles and Development Plan Documents and Policy SD9 Town centres: Local partnerships and implementation to realise their full potential for housing intensification, reducing car use and dependency, and improving access by walking, cycling and public transport
- 7) manage clusters of retail and associated uses having regard to their positive and negative impacts on the objectives, policies and priorities of the London Plan including:
 - a) town centre vitality, viability and diversity
 - b) sustainability and accessibility
 - c) place-making or local identity

d) community safety or security

e) mental and physical health and wellbeing.

- D** Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. Boroughs that wish to set a locally-determined boundary from schools must ensure this is sufficiently justified. Boroughs should also carefully manage the over-concentration of A5 hot food takeaway uses within town centres and other areas through the use of locally-defined thresholds in Development Plans.
- E** Where development proposals involving A5 hot food takeaway uses are permitted, boroughs should encourage operators to comply with the Healthier Catering Commitment standards. Where justified, boroughs should ensure compliance with the Healthier Catering Commitment through use of a condition.
- F** Development proposals involving the redevelopment of surplus retail space should support other planning objectives and include alternative town centre uses on the ground floor where viable (and in accordance with town centre Policy SD7 Town centres: development principles and Development Plan Documents) and residential development.

- 6.9.1** A diverse and competitive retail sector that meets the needs of Londoners and visitors to the capital is important. **Retailing is undergoing restructuring** in response to recent trends and future forecasts for consumer expenditure, population growth, technological advances and changes in consumer behaviour, with increasing proportions of spending made via the internet. As a result, retailing has evolved to become multi-channel, with a mix of physical stores, often supported by internet ‘click and collect’ in store or deliveries to homes, workplaces or pick-up points, and in other cases purely online businesses with no physical stores.

Delivery and location of growth

- 2.1 Camden, along with London as a whole, is experiencing significant change, with substantial population growth and increases in demand for housing and employment.
- 2.2 The Council's objective is to create the conditions for growth to provide the homes, jobs and other facilities needed to support it, while ensuring that growth delivers opportunities and benefits for our residents and businesses. This plan aims to deliver sustainable growth while continuing to preserve and enhance the features that make Camden such an attractive place to live, work and visit.

Policy G1 Delivery and location of growth

The Council will create the conditions for growth to deliver the homes, jobs, infrastructure and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough.

Delivery of growth

The Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by:

- a. supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site;
- b. resisting development that makes inefficient use of Camden's limited land;
- c. expecting the provision of a mix of uses where appropriate, in particular in the most accessible parts of the borough, including an element of self-contained housing where possible; and
- d. supporting a mix of uses either on site or across multiple sites as part of an agreed coordinated development approach, where it can be demonstrated that this contributes towards achieving the strategic objectives and delivers the greatest benefit to the key priorities of the Plan.

Growth in Camden will be expected to help contribute towards achieving the strategic objectives of the Local Plan and help deliver the Council's priorities set out in supporting text below.

This Plan seeks to meet Camden's objectively assessed needs to 2031 for:

- 16,800 additional homes (see Policy H1 Maximising housing supply);
- 695,000sqm of office floorspace (see Policy E1 Economic development); and
- c30,000sqm of retail floorspace (see Policy TC1 Quantity and location of retail development).

Location of growth

Development will take place throughout the borough with the most significant growth expected to be delivered through:

- e. a concentration of development in the growth areas of, King's Cross, Euston, Tottenham Court Road, Holborn, West Hampstead Interchange and Kentish Town Regis Road;
- f. development at other highly accessible locations, in particular Central London and the town centres of Camden Town, Finchley Road / Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead; and
- g. the Council's Community Investment Programme (CIP).

The Council identifies and provides guidance on the main development opportunity sites in the borough through our Camden Site Allocations and Area Action Plans.

The Council will require development in the growth areas, other highly accessible and CIP areas to be consistent with the area priorities and principles set out below.

Overall growth and approach to development

- 2.3 Camden is forecast to grow from 229,700 (in 2013) to 265,300 people by 2031¹. That is nearly 2,000 additional people per year. In the same period the forecasts indicate that the number of households will grow by 19,200 or nearly 1,100 per year. Population growth creates the needs for more services, more school places and more jobs. Currently the number of jobs in Camden is forecast to grow from 286,000 to 375,000 by 2031².
- 2.4 Camden is a suitable, attractive and sustainable place for growth with its high quality places and excellent transport connections giving it high levels of accessibility. We recognise, however, that there is limited land in Camden to accommodate this growth and so there is a need to use Camden's land more efficiently to ensure that it delivers the objectives of this plan and the priorities set out below.

Harnessing the benefits of growth

- 2.5 All development in Camden, large or small, wherever it is located should take place in accordance with all relevant policies of this Local Plan and other documents that form part of Camden's development plan, in order to deliver the Council's vision and objectives for the borough. The Council will seek to support and facilitate growth that delivers the development appropriate to its location and harnesses this growth to deliver clear benefits for Camden residents and businesses.
- 2.6 Key priorities for delivering growth and harnessing its benefits include but are not limited to:
- securing self-contained housing as the priority use of the Local Plan, including sufficient affordable housing to meet the needs of our residents

¹ GLA 2014 Round 'Camden Development' Capped Average Household Size (March 2015)

² Camden Employment Land Review 2014

Safety and security

- 4.84 Crime and the fear of crime can undermine people's quality of life, health and wellbeing. Planning plays an important role in reducing crime and helping to create safe and secure places. Our challenge is to make the borough a safer place for everyone, while making sure that Camden maintains the vibrancy that contributes so much to its character and success. The following policy will help us make Camden a safer place.

Policy C5 Safety and security

The Council will aim to make Camden a safer place.

We will:

- a. work with our partners including the Camden Community Safety Partnership to tackle crime, fear of crime and antisocial behaviour;
- b. require developments to demonstrate that they have incorporated design principles which contribute to community safety and security, particularly in wards with relatively high levels of crime, such as Holborn and Covent Garden, Camden Town with Primrose Hill and Bloomsbury;
- c. require appropriate security and community safety measures in buildings, spaces and the transport system;
- d. promote safer streets and public areas;
- e. address the cumulative impact of food, drink and entertainment uses, particularly in Camden Town, Central London and other centres and ensure Camden's businesses and organisations providing food, drink and entertainment uses take responsibility for reducing the opportunities for crime through effective management and design; and
- f. promote the development of pedestrian friendly spaces.

Where a development has been identified as being potentially vulnerable to terrorism, the Council will expect counter-terrorism measures to be incorporated into the design of buildings and associated public areas to increase security.

Camden Community Safety Partnership

- 4.85 The Camden Community Safety Partnership is a statutory body established to reduce crime, disorder and nuisance in the borough. The Partnership is a network of organisations involved in community safety including the Council, Metropolitan Police, Transport Police, the Mayor's Office for Policing and Crime (MOPAC) and the Camden Safer Neighbourhood Board. Every year the partnership sets priorities based on safeguarding of risk and harm and mitigating against the impact of crime and antisocial behaviour. Its current priorities include tackling antisocial behaviour and reducing the impact of the night time economy on local communities. Planning policies can assist with these goals.

Employment premises and sites

- 5.34 Policy E2 provides further guidance on the Council's approach to maintaining and securing a range of premises for businesses to support Camden's economy and provide employment opportunities for the borough's residents. Throughout this section the terms 'business' and 'employment' are used to refer to the uses in B use class and other unclassified uses of similar nature as set out in paragraph 5.5 on page 164.

Policy E2 Employment premises and sites

The Council will encourage the provision of employment premises and sites in the borough. We will protect premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents and those that support the functioning of the Central Activities Zone (CAZ) or the local economy.

We will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction:

- a. the site or building is no longer suitable for its existing business use; and
- b. that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.

We will consider higher intensity redevelopment of premises or sites that are suitable for continued business provided that:

- c. the level of employment floorspace is increased or at least maintained;
- d. the redevelopment retains existing businesses on the site as far as possible, and in particular industry, light industry, and warehouse/logistic uses that support the functioning of the CAZ or the local economy;
- e. it is demonstrated to the Council's satisfaction that any relocation of businesses supporting the CAZ or the local economy will not cause harm to CAZ functions or Camden's local economy and will be to a sustainable location;
- f. the proposed premises include floorspace suitable for start-ups, small and medium-sized enterprises, such as managed affordable workspace where viable;
- g. the scheme would increase employment opportunities for local residents, including training and apprenticeships;
- h. the scheme includes other priority uses, such as housing, affordable housing and open space, where relevant, and where this would not prejudice the continued operation of businesses on the site; and
- i. for larger employment sites, any redevelopment is part of a comprehensive scheme.

Hatton Garden

The Council will seek to secure and retain premises suitable for use as jewellery workshops and related uses in Hatton Garden. We will also resist development of business premises and sites for a non-business use.

Where the applicant can demonstrate criterion a. and b. above we will expect the proposals to provide a mix of uses that include premises suitable for use as jewellery workshops.

We will consider redevelopment of premises or sites that are suitable for continued jewellery workshops provided that:

- j. the level of jewellery workshop space is increased or at least maintained;
- k. the redevelopment retains existing businesses on the site as far as possible; and
- l. the relocation of businesses will not cause harm to CAZ functions or Camden's local economy.

Where proposals in Hatton Garden would increase total gross internal floorspace by more than 200sqm, we will seek 50% of the additional floorspace as affordable premises suitable for the jewellery sector.

Business and employment uses

- 5.35 Having a range of sites and premises across the borough to suit the different needs of businesses for space, location and accessibility is vital to maintaining and developing Camden's successful economy. An increase in the number and diversity of employment opportunities is fundamental to improving the competitiveness of Camden and of London. The Council wants to encourage the development of a broad economic base in the borough to help meet the varied employment needs, skills and qualifications of Camden's workforce.
- 5.36 We will seek to ensure that existing and future employment uses can operate effectively without being in conflict with other sensitive uses such as housing. Policy A4 Noise and vibration provides further advice on this matter.

Proposals involving loss of business premises and sites

- 5.37 When assessing proposals that involve the loss of a business use to a non-business use we will consider whether there is potential for that use to continue. We will take into account various factors including:
- the suitability of the location for any business use;
 - whether the premises are in a reasonable condition to allow the use to continue;
 - the range of unit sizes it provides, particularly suitability for small businesses; and
 - whether the business use is well related to nearby land uses.
- 5.38 For further details on how we will take these into account can be found in our supplementary planning document Camden Planning Guidance on employment sites and business premises.

Managing the impact of development

- 6.1 Standards of amenity (the features of a place that contribute to its attractiveness and comfort) are major factors in the health and quality of life of the borough's residents, workers and visitors and fundamental to Camden's attractiveness and success. Camden's Inner London location, the close proximity of various uses and the presence of major roads and railways means that amenity is a particularly important issue within the borough.
- 6.2 Policy A1 therefore seeks to ensure that standards of amenity are protected. Other policies within the Plan also contribute towards protecting amenity by setting out our approach to specific issues, such as the impact of food, drink and entertainment uses in Policy TC4 Town centre uses, Policy A4 Noise and vibration, and Policy CC4 Air quality.

Policy A1 Managing the impact of development

The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity.

We will:

- a. seek to ensure that the amenity of communities, occupiers and neighbours is protected;
- b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;
- c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
- d. require mitigation measures where necessary.

The factors we will consider include:

- e. visual privacy, outlook;
- f. sunlight, daylight and overshadowing;
- g. artificial lighting levels;
- h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
- i. impacts of the construction phase, including the use of Construction Management Plans;
- j. noise and vibration levels;
- k. odour, fumes and dust;
- l. microclimate;
- m. contaminated land; and
- n. impact upon water and wastewater infrastructure.

Design

- 7.1 Good design is essential to creating places, buildings, or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations. The National Planning Policy Framework establishes that planning should always seek to secure high quality design and that good design is indivisible from good planning.

Policy D1 Design

The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Tall buildings

All of Camden is considered sensitive to the development of tall buildings. Tall buildings in Camden will be assessed against the design criteria set out above and we will also give particular attention to:

- p. how the building relates to its surroundings, both in terms of how the base of the building fits in with the streetscape and how the top of a tall building affects the skyline;
- q. the historic context of the building's surroundings;
- r. the relationship between the building and hills and views;
- s. the degree to which the building overshadows public spaces, especially open spaces and watercourses; and
- t. the contribution a building makes to pedestrian permeability and improved public accessibility.

In addition to these design considerations tall buildings will be assessed against a range of other relevant policies concerning amenity, mixed use and sustainability.

Public art

The Council will only permit development for artworks, statues or memorials where they protect and enhance the local character and historic environment and contribute to a harmonious and balanced landscape design.

Excellence in design

The Council expects excellence in architecture and design. We will seek to ensure that the significant growth planned for under Policy G1 Delivery and location of growth will be provided through high quality contextual design.

Local context and character

- 7.2 The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:
 - character, setting, context and the form and scale of neighbouring buildings;
 - the character and proportions of the existing building, where alterations and extensions are proposed;
 - the prevailing pattern, density and scale of surrounding development;
 - the impact on existing rhythms, symmetries and uniformities in the townscape;
 - the composition of elevations;
 - the suitability of the proposed design to its intended use;
 - inclusive design and accessibility;
 - its contribution to public realm and its impact on views and vistas; and
 - the wider historic environment and buildings, spaces and features of local historic value.
- 7.3 The Council will welcome high quality contemporary design which responds to its context, however there are some places of homogenous architectural style (for example Georgian Squares) where it is important to retain it.
- 7.4 Good design takes account of its surroundings and preserves what is distinctive and valued about the local area. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development which integrates into its surroundings. Character is about people and communities as well as the physical components.

Advertisements

- 7.81 This policy applies to all advertisements requiring advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Certain types of advertisements do not require advertisement consent and are regarded as having ‘deemed consent’ as they meet the specifications set out in the regulations. Information on what types of advertisements require consent is set out in Outdoor advertisements and signs: a guide for advertisers (Communities and Local Government, June 2007). Advertisements are only controlled in respect to their effect on amenity and public safety. Further guidance on Camden’s approach to advertisements is available in the supplementary planning document Camden Planning Guidance on advertisements.

Policy D4 Advertisements

The Council will require advertisements to preserve or enhance the character of their setting and host building. 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.

We will support advertisements that:

- a. preserve the character and amenity of the area; and
- b. preserve or enhance heritage assets and conservation areas.

We will resist advertisements that:

- c. contribute to an unsightly proliferation of signage in the area;
- d. contribute to street clutter in the public realm;
- e. cause light pollution to nearby residential properties or wildlife habitats;
- f. have flashing illuminated elements; or
- g. impact upon public safety.

The Council will resist advertisements on shopfronts that are above fascia level or ground floor level, except in exceptional circumstances.

Shroud advertisements, banners, hoardings / billboards / large outdoor signboards are subject to further criteria as set out in supplementary planning document Camden Planning Guidance on advertisements .

Character and amenity

- 7.82 Advertisements and signs should be designed to be complementary to and preserve the character of the host building and local area. The size, location, materials, details and illumination of signs must be carefully considered. Interesting and unique styles of advertisements and signs will be considered acceptable where they are compatible with the host buildings and surrounding environment. The Council will resist advertisements where they contribute to or constitute clutter or an unsightly proliferation of signage in the area.

Prioritising walking, cycling and public transport

- 10.8 To promote sustainable transport choices, development should prioritise the needs of pedestrians and cyclists and ensure that sustainable transport will be the primary means of travel to and from the site.
- 10.9 Walking is a zero carbon means of transport and provides significant benefits in terms of promoting healthy lifestyles and helping to create more vibrant streets and public spaces. Between 2006-2014, travel by bicycle increased by 82%. The Council therefore seeks to build on this by improving cycling facilities, routes and creating the conditions that will encourage further take up of cycling. Contributions may also be sought to improve Camden's bus network where necessary.

Policy T1 Prioritising walking, cycling and public transport

The Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough.

Walking

In order to promote walking in the borough and improve the pedestrian environment, we will seek to ensure that developments:

- a. improve the pedestrian environment by supporting high quality public realm improvement works;
- b. make improvements to the pedestrian environment including the provision of high quality safe road crossings where needed, seating, signage and landscaping;
- c. are easy and safe to walk through ('permeable');
- d. are adequately lit;
- e. provide high quality footpaths and pavements that are wide enough for the number of people expected to use them. Features should also be included to assist vulnerable road users where appropriate; and
- f. contribute towards bridges and water crossings where appropriate.

Cycling

In order to promote cycling in the borough and ensure a safe and accessible environment for cyclists, the Council will seek to ensure that development:

- g. provides for and makes contributions towards connected, high quality, convenient and safe cycle routes, in line or exceeding London Cycle Design Standards, including the implementation of the Central London Grid, Quietways Network, Cycle Super Highways and;
- h. provides for accessible, secure cycle parking facilities exceeding minimum standards outlined within the London Plan (Table 6.3) and design requirements outlined within our supplementary planning

document Camden Planning Guidance on transport. Higher levels of provision may also be required in areas well served by cycle route infrastructure, taking into account the size and location of the development;

- i. makes provision for high quality facilities that promote cycle usage including changing rooms, showers, dryers and lockers;
- j. is easy and safe to cycle through ('permeable'); and
- k. contribute towards bridges and water crossings suitable for cycle use where appropriate.

Public Transport

In order to safeguard and promote the provision of public transport in the borough we will seek to ensure that development contributes towards improvements to bus network infrastructure including access to bus stops, shelters, passenger seating, waiting areas, signage and timetable information. Contributions will be sought where the demand for bus services generated by the development is likely to exceed existing capacity. Contributions may also be sought towards the improvement of other forms of public transport in major developments where appropriate.

Where appropriate, development will also be required to provide for interchanging between different modes of transport including facilities to make interchange easy and convenient for all users and maintain passenger comfort.

Walking

- 10.10 Policy D1 Design and our supplementary planning documents Camden Planning Guidance on design and Camden Planning Guidance on transport set out the Council's approach to providing attractive streets and spaces. Public realm improvements will primarily be delivered by the Council using our own funding and, where appropriate, developer contributions and funding from Transport for London. The Council will continue to work with Transport for London and neighbouring London boroughs to deliver improved pedestrian accessibility and way finding within Camden and into neighbouring boroughs.

Cycling

- 10.11 Cycling is an increasingly popular and sustainable means of travel which we hope to encourage further. The Council will therefore seek to ensure that developments contribute to and, where appropriate, provide appropriate links to strategic cycle routes. We will also expect cycle parking to be convenient and secure, so that users of a development are more likely to use bicycles to travel to and from a site. Details regarding cycle parking standards and design can be found within our supplementary planning document Camden Planning Guidance on transport.

Camden Planning Guidance:

Advertisements

March 2018



.1 Advertisements, signs, and hoardings

KEY MESSAGES

In general, the most satisfactory advertisements are those which take into account:

- the character and design of the property
- the appearance of its surroundings
- the external fabric of the host building.

- 1.1 We have prepared this Camden Planning Guidance to support the policies in the Camden Local Plan 2017. This guidance forms a Supplementary Planning Document (SPD) which is an additional 'material consideration' in planning decisions. This document should be read in conjunction with, and within the context of, the relevant policies in Camden's Local Plan.
- 1.2 The purpose of this guidance is to provide advice on the design and siting of advertisements so that they contribute positively to the appearance and character of an area. This guidance was formally adopted March 2018 and replaces the guidance in CPG1 Design (adopted July 2015). All advertisements affect the appearance of the building, structure or place where they are displayed, and can at times can be a dominant feature in their setting.
- 1.3 This guidance relates to Camden Local Plan policy D4 on Advertisements.
- When advertising consent is required,
 - What types of advertisements will be acceptable,
 - Advertising on street furniture,
 - Illumination of advertisements,
 - Guidance on hoardings, shroud, banner, and digital advertisements.
- 1.4 This guidance applies to all advertisements requiring advertisement consent, i.e. those which do not have "deemed consent" under the regulations¹. In accordance with the advertisement regulations, advertisements are only controlled in respect to their effect on amenity and public safety.

Deemed consent

This allows the display of certain "specified classes" of advertisement without first having to make an application to the local planning authority

- 1.5 Guidance on advertisements is also contained within Outdoor advertisements and signs: A guide for advertisers (CLG, 2007, www.communities.gov.uk/publications/planningandbuilding/outdooradvertisements).

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 1.6 Where advertisements have deemed consent and do not require formal advertisement consent the guidance in this Camden Planning Guidance document should still be applied as a matter of good practice. Reference should also be made to guidance on shopfronts in Camden Planning Guidance on Design .

What advertisements and signs are acceptable?

- 1.7 Good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. As a general guide, the most satisfactory advertisements are those which take into account the character and design of the property, its surroundings and alter the external fabric of the host building as little as possible. Advertisements will not be considered acceptable where they adversely impact upon amenity and public safety.

All advertisements

- 1.8 Advertisements and signs should respect the form, fabric, design and scale of the host building and setting. All signs should serve as an integral part of the immediate surroundings and be constructed of materials that are sympathetic to the host building and the surrounding area. Interesting and unique styles of advertisements and signs will be considered acceptable where they are compatible with the host buildings and surrounding environment.
- 1.9 Generally advertisements will only be acceptable at fascia level or below. Advertisements above fascia level can appear visually obtrusive and unattractive and, where illuminated, they can cause light pollution to neighbouring residential properties. If an advertisement is required at high level for a specific business use then this will usually be restricted to non-illuminated images on windows.

Fascia

Fascia within this guidance refers to the signboard on the upper part of a shopfront showing the name of the shop.

- 1.10 Advertisements will not be considered acceptable where they impact upon public safety, such as being hazardous to vehicular traffic (e.g. block sight lines, are more visible than traffic signals, emit glare) or pedestrian traffic (e.g. disrupt the free flow of pedestrian movement).

Conservation Areas and Listed Buildings

- 1.11 Advertisements in conservation areas and on or near listed buildings require detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements, of whatever type, on or near a listed building or in a conservation area must not harm their character and appearance and must not obscure or damage specific architectural features of buildings.

Advertising on street furniture

Street furniture

A collective term for objects on streets and roads, including benches, bollards, post boxes, phone boxes, streetlamps, traffic lights, traffic signs and bus stops.

- 1.12 Free-standing signs and signs on street furniture will only be accepted where they would not create or contribute to visual and physical clutter or hinder movement along the pavement or pedestrian footway.

Illumination

- 1.13 The illumination levels of advertisements should be in accordance with the guidance set by the Institute of Lighting Engineers PLG05 The Brightness of Illuminated Advertisements

- 1.14 The type and appearance of illuminated signs should be sympathetic to the design of the building on which it is located. The method of illumination (internal, external, lettering, neon, etc.) should be determined by the design of the building. Illuminated signs should not be flashing or intermittent, whether internal or external.

- 1.15 Externally illuminated signs should be unobtrusively sized and sited. Spotlights and trough lights should be fixed and sized as discreetly as possible to avoid light pollution. Corporate designs involving internally illuminated signs may need to be modified where they are considered unsuitable, especially in residential areas, or conservation areas, or on listed buildings.

Trough lighting

An enclosed sign lighting unit using high powered fluorescent tubes.

- 1.16 When considering the level of illumination on advertisements the following should be taken into account:

- intensity of illumination;
- surface area to be illuminated; and
- positioning and colours.

- 1.17 Applicants should ensure that an advertisement does not become unduly dominant in the street scene, disturb adjoining residents at night, or cause safety hazards to drivers.

- 1.18 Internally illuminated box signs are discouraged. Generally, the internal illumination of individual letters, rather than the whole fascia or projecting sign on a shopfront, will be more appropriate.

Hoardings

Hording

A billboard or large outdoor signboard.

- 1.19 Where advertisement consent is required for the display of hoardings, the following guidance will be applicable:
- 1.20 Advertisement hoardings or posters will not usually be acceptable in predominantly residential areas and will be carefully controlled in conservation areas and on or near listed buildings to ensure that they do not detract from the area's and building's character and appearance. However, if an area has a mix of uses or is predominantly in commercial use, some poster or hoarding advertising may be acceptable where they satisfactorily relate to the scale of the host building or feature and its surroundings. They should be designed and positioned as an integral feature of the building.



- 1.21 Guidelines on when hoardings will not be considered acceptable include:
- in locations where they may prevent or significantly damage views or obscure light;
 - where they project forward of the face of adjoining buildings;
 - where they project above roof ridge/eaves level;
 - where they obscure architectural features or landmarks (including windows or window recesses); and
 - on side walls where they would be unduly dominant.
- 1.22 The Council will resist the illumination of hoardings where it is a nuisance or out of character with the area.
- 1.23 Temporary poster hoardings used to screen buildings or construction sites while work is being carried out have deemed consent under the 2007 Regulations (please refer to Class 8 in the regulations for specific details) for commercial, industrial or business uses only. This deemed consent is not available for any residential development and is also not available in conservation areas.

Shroud advertisements

Shroud advertisement

Large scale advert, covering an entire building elevation, often used to shield construction work.

- 1.24 Shroud advertisements come in a range of forms but are generally large-scale and can cover the entire elevation of a building. They can help to shield unsightly construction work, reducing visual impact. However, as a result of the scale and size of shroud advertisements their appearance can create a conflict with the surrounding environment and the street scene and, where the advertisement partially obscures a building, the visual appearance of the building itself.
- 1.25 Conservation areas and listed buildings are particularly sensitive to shroud advertisements as they can appear overwhelming, and disrupt the appearance of a high quality built environment. Therefore, given the scale and size of shroud advertisements these types of advertisement proposals will only be considered acceptable primarily in commercial areas and only where they screen buildings under construction, alteration or refurbishment. If considered acceptable they will be allowed for a temporary period and should be removed on completion of the works should they be sooner than the approved period. Longer consents will require additional advertisement consent.
- 1.26 Shrouds on scaffolding (erected for the purposes of carrying out building works and removed upon completion), will only be permitted where the:
- scaffolding covers the entire elevation of the building and the netting on the scaffolding depicts a true 1:1 image of the completed building which is undergoing construction work;
 - shroud does not exceed the height and length of the completed building (the 1:1 image should also not be extended where scaffolding stretches around a corner); and the
 - advertisement on the shroud covers no more than 20% of the shroud on each elevation and is not fragmented. The advertisement must also respect the architectural form and scale of the host building. Where shroud and banner advertisements are considered acceptable on listed buildings or in conservation areas, the advertisement on the shroud should not cover more than 10% of the shroud on each elevation and is not fragmented. The location of the advertisement on the shroud will depend on the character of the local built form and the nature of views within it.



1.27

Please note that permission is unlikely to be granted unless the proposed duration of works can be verified at application stage. Any departure from the end period will require further advertisement consent. The erection of a shroud advertisement may also require a specific licence from the Council's Highways Management Team or TfL. If advertisement consent is granted for a banner or shroud, this does not indicate that a licence will also be granted. Please contact the Highways Management Team or TfL for more information.

Banner advertisements

Banner advertisements

A sign made of non rigid material such as canvas or vinyl, and typically having no enclosing or supporting framework. Often intended for temporary use, a banner sign can be screen printed or painted, and is commonly hung from a pole or mounted to the facade of a building.

1.28

Banner advertisements on buildings will only be permitted in the following circumstances:

- They relate to landmark or unique buildings, such as festival venues, museums, and do not detract from the appearance and form of the host building or the surrounding environment.
- In some commercial areas, flags or banners may be considered a suitable form of display. Within residential areas, conservation areas, and on or near listed buildings we will be primarily concerned with safeguarding the amenity, character and appearance of these areas and buildings and therefore it is unlikely that such advertisements will be supported.



- 1.29 Please note that the erection of a banner advertisement may require a specific licence from the Council's Highways Management Team. If advertisement consent is granted for a banner or shroud, this does not indicate that a licence will also be granted. Please contact the Highways Management Team for more information.

Estate agent boards

- 1.30 Estate agent boards of a certain number and size can be erected on properties without the benefit of advertisement consent. Typically only one, non-illuminated advertisement, of specified dimensions and height per property, has deemed consent. These details are set out in "Outdoor advertisements and signs: A guide for advertisers" (CLG, 2007, www.communities.gov.uk/publications/planningandbuilding/outdooradvertisements).
- 1.31 Estate agent boards must be removed no later than 14 days after completion of the sale or granting of the tenancy.

1.32 A regulation which prohibits the display of estate agent boards is in place across seven of Camden's conservation areas:

- Hampstead,
- South Hill Park,
- South Hampstead,
- Belsize Park,
- Fitzjohn/Netherhall,
- Redington/Frognaal, and
- West End Lane (part).

1.33 In these areas, deemed consent for the display of estate agents boards does not apply. Advertisement consent is therefore required to display a board in these areas, however the council will strongly resist granting consent due to the impact the boards would have on visual amenity.

Further details are available at:

<https://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/before-you-apply/residential-and-business-projects/estate-agent-boards/>

Digital advertisements

1.34 Digital advertisements, which can also be referred to as digital screens or digital billboards, can project video but are often used to show a still image or to cycle through a number of still images. They have the advantage of being remotely controlled by computer and being illuminated. They can be large in size or smaller (e.g. screens integrated into bus shelters).

1.35 Digital billboards are an effective form of advertising, although generally more costly to rent compared to traditional billboards. There is pressure for development of various kinds of digital billboards and advertising in the borough.

1.36 Proposals for digital advertisements should adhere to the best practice guidance set out in the Transport for London Guidance for Digital Roadside Advertising and Proposed Best Practice (March 2003). This best practice guidance sets out detailed considerations and requirements including:

- Siting of adverts including proximity to traffic signals, hazards, and longitudinal spacing;
- Position and orientation to the carriageway;
- Message duration, transitions, and sequencing; and
- Lighting levels.

1.37 The Council support the development of digital signboards provided they meet the criteria set out in Local Plan Policy D4 on advertisements, the guidance set out in this document, TfL best practice, and where they are located in a suitable location.

1.38 Digital advertisements are by design visual prominent and attention grabbing with their illuminated images, especially when they are large in size. They are not suitable for locating in some areas. Factors which make a location less suitable for digital billboards include locations:

- Within conservation areas;
- Within predominantly residential areas;
 - With a uniform heritage character,
 - near listed buildings; and
 - where the advertisement could become the most prominent feature of the street scene.

Factors which make a location more suitable for digital billboards include locations:

- In predominantly commercial areas,
- Along major roads carrying high levels of traffic, and
- In areas with larger buildings where signage can be integrated into the architecture.

4 Artificial Light

KEY MESSAGES:

- Artificial lighting should be considered at the design stage and not affect the amenity of neighbours or wildlife.
- Planning permission is required for artificial lighting structures and equipment that substantially affect the external appearance of a building.
- Developers are expected to employ a specialist lighting engineer accredited by the Institute of Lighting Engineers to design their lighting schemes.
- The Council will apply the agent of change principle in instances where developments sensitive to high levels of artificial light are proposed near to existing uses that are reliant upon the light for their operation.

4.1 This section provides guidance on the Council's approach to artificial lighting and should be read in conjunction with Camden Local Plan policy A1 Managing the impact of development. This chapter contains the following sections:

- Artificial light
- When will planning permission be required for lighting?
- What information should accompany a planning application?
- Matters to consider when designing lighting.

Artificial light

4.2 Excessive or poorly designed lighting can cause light spillage and glare and be damaging to the environment by:

- having a detrimental impact on the quality of life of neighbouring residents;
- changing the character of the locality;
- altering wildlife and ecological patterns; and
- wasting energy.

4.3 The following can cause an artificial light nuisance if they are not maintained or used properly

- security lights (domestic and commercial);
- sports facilities (like floodlit football pitches);
- decorative lighting of buildings or landscapes; and
- laser shows and light art.

4.4 The Council will therefore expect that the design and layout of artificial light be considered at the design stage of a scheme to prevent potential harmful effects of the development on occupiers and neighbours in terms of visual privacy, outlook and disturbance. Artificial lighting should only illuminate the intended area and not affect or affect the amenity of neighbours.

2. Design Excellence

KEY MESSAGES

Camden is committed to excellence in design and schemes should consider:

- The context of a development and its surrounding area;
- The design of the building itself;
- The use and function of buildings;
- Using good quality sustainable materials;
- Creating well connected public spaces and good quality public realm
- Opportunities for promoting health and well-being
- Opportunities for improving the character and quality of an area

- 2.1 High quality design makes a significant contribution to the success of a development, of a place and the community in which it is located. The design of the built environment affects many things including the way we use spaces and interact with each other, comfort and enjoyment, safety and security, our sense of inclusion and our health and well-being. In addition, high quality design across the borough contributes to achieving, a high-quality, sustainable environment for all in the community to live, work, play and relax.
- 2.2 The purpose of this guidance is to promote design excellence and to outline the ways in which developments can achieve high quality design.
- 2.3 This guidance primarily relates to Camden Local Plan policies D1 Design and D2 Heritage. In accordance with these policies, high quality design and preserving and enhancing Camden's rich heritage should be at the heart of all development in the borough. This guidance provides further information on achieving high quality design. In accordance with Policy D1 of the Camden Local Plan, the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.



6. Shopfronts

KEY MESSAGES

- Shopfronts should be designed to a high standard and should consider the character and design of the building and its context
- Shopfront alterations to existing buildings should respect the detailed design, materials, colour and architectural features of the shopfront and building itself.
- Shopfronts in newly designed buildings should be designed to integrate well with the surrounding area and contribute positively to the public realm.
- The Council strongly encourages shopfront security measures to be internal rather than external. Solid shutters will only be considered acceptable in exceptional circumstances.
- Vibrant and well-designed shopfronts animate and activate the street scene and contribute to creating healthy places.

- 6.1 Shopfronts make a significant contribution to the character and richness of experience of Camden's centres and streets.
- 6.2 It is important that new shopfronts and alterations to existing shopfronts are sensitively designed and do not detract from the character of the host building or the surrounding area. Insensitive alterations to existing shop fronts and poorly designed shopfronts in new buildings can erode the character of existing frontages and the local area.
- 6.3 Well-designed shopfronts increase the visual attractiveness of a building and the local area and can have an impact on commercial success by increasing the attraction of shops and centres to customers. This is particularly important in town centres and shops in conservation areas and listed buildings.
- 6.4 This guidance relates to Camden Local Plan Policies D1 – Design, D2 – Heritage and D3 – Shopfronts and should inform planning applications for new shopfronts and schemes involving alterations to existing shopfronts.



7. Vehicular Access and Crossovers

KEY MESSAGES

- Planning permission must be sought for works that create or alter an access onto a classified road.
- Highway Authority consent is required for any works affecting the public highway.
- The Council will not approve applications that would cause unacceptable parking pressure, add to existing parking problems or result in negative impacts on amenity.

- 7.1 This section gives guidance on designing developments to provide safe access and use by motor vehicles, ensuring that new means of access do not cause harm to the safety of other users of the development and the adjacent highway. It focuses on the Council's approach to planning applications that include new footway crossovers and new access routes to enable access from the public highway to properties and sites.

CROSSOVER

A dropped kerb or short ramp to permit vehicle access across a footway.

- 7.2 This section relates to Camden Local Plan Policy A1 which resists development that fails to adequately address transport impacts. It provides guidance on how proposals are judged in terms of:
- Impact on the highway network and on-street parking conditions;
 - Visibility and sightlines for vehicles;
 - Impact on the footway;
 - Layout and dimensions for crossovers; and
 - Mechanisms to prevent waiting on the highway for schemes that include controlled access points, lifts and ramps.

When does this apply?

- 7.3 This guidance applies to applications that involve a change in the way that a site is accessed from the highway. All works affecting the highway must have the consent from the local highway authority under the Highways Act (1980), which is in addition to planning permission granted by the planning authority.

HIGHWAY AUTHORITY

The Council is the Local Highway Authority for the majority of public roads in the Borough. Transport for London is responsible for roads on the Transport for London Road Network (also known as Red Routes). Some public roads in the Borough are privately maintained and the Council is not the Local Highway Authority. As an example, roads within Regent's Park are maintained by the Crown Estates Pavement Commission.

- 7.4 There are certain circumstances where planning permission may not be required for access to an existing paved area or garage where a [Crossover Application](#) granted under highway authority approval would suffice in its place. In this situation, Section 184 of the Highways Act (1980), allows an applicant to seek approval from the local highway authority (usually the Council) to construct a vehicular crossover to an existing development. This may be applicable when a development has an access:
- From a road that is not classified.;
 - To a property that is not sub-divided into flats, and is occupied by a single household; and
 - To a property not located within a conservation area.
- 7.5 Applicants should note that vehicular crossovers will **not** be acceptable where a development is:
- Subject to a car-free planning obligation;
 - Where the installation of a crossover would result in the loss of on-street parking provision;
 - Where the alterations to the boundary treatment would have a visually detrimental impact on the street; or
 - Where there is a detrimental impact on amenity, such as felling of valuable trees.
- 7.6 It should also be noted that any work on Camden's public highway will be undertaken by the Council at the applicant's expense.

How should vehicle access be provided?

- 7.7 Access to a site by motor vehicles is gained by either driving over the footway using a crossover or 'continuous footway', or interrupting the footway by a new junction to create a level access direct from the carriageway. The Council will

decide on the appropriateness of crossovers and will seek adoption of new roads where appropriate.

CONTINUOUS FOOTWAY

An uninterrupted footway giving priority to pedestrians but allowing access to vehicles.

Impact on the highway network and on-street parking conditions

- 7.8 Camden Local Plan Policy A1 seeks to ensure that new connections to the highway network from developments do not cause harm to the existing network, to its users or the environment. Creation of new accesses on the highway must not negatively impact on highway safety, with a focus on vulnerable and disabled road users and their needs.
- 7.9 The Council will resist development that negatively impacts on existing on-street parking conditions and will not approve applications for planning permission (or for highways consent) that would cause or exacerbate unacceptable parking pressure or add to existing parking, waiting and loading problems. Information regarding the existing parking pressure can be acquired from the Council during the application process.

Visibility and sightlines for emerging vehicles

- 7.10 Vehicles joining the highway network need clear views of pedestrians, cyclists and other traffic, and users of the highway network need clear views of those joining it. Applications where sightlines are obstructed resulting in a detrimental impact on safety will be unacceptable. The Manual for Streets provides guidance on visibility requirements. The Council will expect applicants to submit a road safety audit report in support of any planning application involving the creation of a new or amended vehicular access to a site.

Layout and dimensions for footway crossovers

- 7.11 It is essential that footway crossovers do not harm pedestrian movement and that there is minimum footway width of 1.8 metres between the carriageway and the site boundary. Further information on pedestrian movement and [TfL's Pedestrian Comfort Level assessment](#) can be found in Section 9 of this guidance. Any changes to the public highway would need to be approved by the highway authority and implementation of crossovers where agreed will be undertaken by Camden's highways contractor at the expense of the developer.

- 7.12 It is important that new access points are not overly steep, in order to allow for safe and convenient access.
- 7.13 Where there are ramps into a site, for example to serve a basement car park, the Council will expect the following gradients:
- Vehicular ramps should be a maximum gradient of 10% (1:10); and
 - For pedestrians, ramps should be a maximum gradient of 1:12, in line with the Disability Discrimination Act (DDA) requirements (although a gradient of 1:20 is preferred).

Level plans

- 7.14 In order to ensure that the thresholds of the proposed development tie in with the existing levels of the adjacent public highway, level plans will be required as part of any planning application where proposals seek to alter existing levels adjacent to the boundary with the public highway .
- 7.15 Where possible, the ground floor level of a development should be the same as the level of the adjacent highway, in order to avoid the provision of unnecessary steps, while allowing for water to runoff.
- 7.16 When level plans are required, drawings showing all existing and proposed threshold levels should be submitted. Where new thresholds are proposed, the developer must provide sufficient evidence setting out an appropriate mitigation strategy, demonstrating how the development will tie in with the public highway (e.g. design to amend the public highway). A [Level Plans proforma](#) can be found on the Council's website.

Preventing waiting on the highway: controlled access points, lifts and ramps

- 7.17 Sometimes it will be necessary to provide a limited amount of space for vehicles on a site or within the curtilage, with controls at the point of entry and/ or provision of vehicle space at a different level from the street, accessed by a vehicle ramp or lift.

CURTILAGE

The area of land adjacent to a development.

- 7.18 Where an application involves vehicles using a traffic signal, barrier or vehicle lift, an area should be provided within the site for vehicles to wait. This area should be sufficient to accommodate the maximum likely number of queuing

vehicles, without any obstruction to pedestrians and vehicles using the public highway. Proposals that involve vehicles waiting on the crossover/footway on the public highway will not be acceptable due to the impact this would have on road users.

- 7.19 Where a lift, ramp or other access is only available to one vehicle or direction of flow, there must be space at each end for exiting vehicles to pass those queuing to enter. Applicants will be required to demonstrate how the space required for waiting vehicles will be managed to prevent uncontrolled parking when the space is not in use, for example by retractable bollard for certain times of the day.

9. Pedestrian and Cycle Movement

KEY MESSAGES

- All developments must have due regard to the safety, ease of movement and the quality of pedestrian and cycle facilities for people moving to and within a site.

- 9.1 This section relates to Local Plan Policy T1 (Prioritising walking, cycling and public transport) and Policy D1 (Design). It provides guidance on the design and layout of pedestrian and cycle facilities and aims to ensure that a good quality and accessible environment is provided.
- 9.2 The Council will consider the impacts of movements to, from and within a site and will support applications that encourage sustainable travel. This section should be read in conjunction with Section 2 (Assessing Transport Capacity) and Section 7 (Vehicular Access) of this CPG where applicable.
- 9.3 The following section includes guidance on:
- The design and layout of public spaces;
 - Ease of pedestrian and cycle movement (permeability);
 - Safety; and
 - Legible London.

When does this apply?

- 9.4 This guidance applies to planning applications that involve a change in the way that a site is accessed, how people move in and around the site or when there is a change in the number of movements to or within a site. It also applies to applications where vehicle movements affect pedestrians and cyclists.
- 9.5 The term ‘footways’ used throughout this guidance refers to footways both on private land and on the public highway.

The design and layout of streets and public spaces

- 9.6 In line with Local Plan Policies T1 and D1, we will seek to secure high quality design in development. We will seek improvements to streets and spaces, both on and off site to ensure good quality access and circulation arrangements for

all. This includes improvements to existing routes, footways, footpaths and cycling infrastructure that serve the development.

9.7 Key considerations to be given to the movement of people in and around a site include the following:

- Ensuring the safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments, and other disabilities;
- Maximising pedestrian and cycle accessibility and minimising journey times making sites 'permeable';
- Providing stretches of continuous footways without unnecessary crossings;
- Making it easy to cross where vulnerable road users interact with motor vehicles;
- Linking to, maintaining, extending and improving the network of pedestrian and cycle routes;
- Maximising safety by providing adequate lighting and overlooking from adjacent buildings;
- Taking account of surrounding context and character of the area;
- Providing a high quality environment in terms of appearance, design and construction, considering Conservation Areas and other heritage assets, and using traditional materials (such as natural stone), SuDS and planting (trees, pocket parks etc.) where appropriate;
- Investing in the public realm to create inclusive spaces that support greater social interaction (places to sit, sheltered, not too noisy, safe etc);
- Use of paving surfaces which enhance ease of movement for vulnerable road users;
- Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by footway parking or by unnecessary street furniture; and
- Having due regard to design guidance set out in the [Camden Streetscape Design Manual](#), [TfL's London Cycling Design Standards](#), [TfL's Pedestrian Comfort Level Guidance](#) and [TfL's Healthy Street Indicators](#).

9.8 In line with Local Plan Policy A1, where developments generate the need for works to the public highway these should be funded by the developer and implemented by the Council in order to ensure construction is to a suitable standard for adoption. Refer to Section 2 (Assessing Transport Impact) of this CPG for situations when this may be required.

Pedestrian and Cycle Permeability

- 9.9 Pedestrian and cycle routes through a site must be direct and legible, following the natural desire line, and must be easy and safe to walk and cycle through via step-free access. The Council will resist proposals that seek to 'gate' an area or community or restrict access through a site at certain times.
- 9.10 Footways or footpaths must be wide enough for two people using wheelchairs, or prams, to pass each other, although we seek to maximise the width of footways wherever possible. Reference must be made to [TfL's Pedestrian Comfort Level Guidance](#) (PCL) guidance which sets out minimum widths based on footways in different environments and pedestrian flows. The Manual for Streets also provides guidance on this.
- 9.11 We will seek a PCL assessment for applications where a development will:
- change the way the site is accessed; or
 - result in an increase to the number of trips to and from the site.

The PCL assessment should be submitted as part of the overall transport assessment, as set out in Section 2 of this guidance.

- 9.12 The design of cycle routes must be in line with the minimum widths set out in [TfL's London Cycling Design Standards \(LCDS\)](#) and must accommodate all types of cycle including wider non-standard cycles such as cargo bikes or cycles adapted for disabled users. More information on the types of cycle can be found in Section 8 (Cycling Facilities) of this CPG.
- 9.13 Where shared surfaces are proposed, involving vulnerable road users and vehicles using the same space, traffic management measures should also be used to reduce vehicle speeds. Measures to reduce vehicle speeds should not limit visibility for pedestrians and vehicles, and must not prejudice safety. Further measures to promote safety include:
- The removal of parked vehicles from the shared surface to avoid potential conflicts; and
 - Provision of clear routes and surface textures to assist orientation of people with visual impairments.
- 9.14 The footprint of a development adjacent to the pedestrian footway should not include projections into the footway, nor should it include recesses within the building outline. The back of the footway must be free from obstruction to assist visually impaired users and to avoid unwanted gathering of litter and antisocial behaviour.

- 9.15 The Council will resist proposals that involve the opening of external doors or gates onto footways or footpaths, other than those required for emergency escape routes and electricity sub-stations, as they raise safety concerns, and can obstruct pedestrians. Any doors or gates which need to open outwards will need to be carefully located to minimise the impact on pedestrians using adjacent footways and footpaths.
- 9.16 Footways should be designed with frequent and convenient road crossing points for pedestrians. The Council will seek to secure financial contributions to provide new and improved pedestrian crossings where this would be necessary to make a development acceptable in planning terms.

Lighting, signage and street furniture

- 9.17 Footways and footpaths should be well lit and well signed, but with care to avoid light pollution and obstructions. Wherever possible, lighting and signs should be placed on buildings or existing street furniture to minimise clutter.
- 9.18 The installation of seating, bus shelters, litter bins and cycle parking is encouraged in association with new footways and footpaths provided that it will improve the pedestrian environment or encourage the use of sustainable modes of transport. They must be positioned so that they do not interrupt the pedestrian desire line and so they do not interrupt the minimum area of footway or footpath designated for pedestrians as set out within [TfL's Pedestrian Comfort Level guidance](#).
- 9.19 Applications for new telephone kiosks on the public highway will be resisted by the Council where proposals would result in a detrimental impact on pedestrians and/or the street environment. Applications of this nature must demonstrate that they would not interrupt the minimum area of footway or footpath required and would not impede or obstruct the desire lines for pedestrian movement. This is particularly important for people with protected characteristics such as people who are blind or partially sighted. The position of the kiosk must be within the existing street furniture zone and must not compromise highway safety or prevent kerbside activity such as loading/unloading and parking.
- 9.20 Any minimum standards for footway widths should not be used to justify the provision of unnecessary street clutter or any reduction in footway or footpath widths. The Council will take into account the full unobstructed width when assessing proposals.

Tables and chairs

- 9.21 The Council will sometimes licence the placing of tables and chairs on the footway in association with adjacent cafes and similar uses. The area where tables and chairs may be placed must be designated and must not interrupt the area of footway available for pedestrian movement. Applicants must demonstrate that the design does not impact on the pedestrian comfort level and provides adequate footway width as set out in [TfL's Pedestrian Comfort Level guidance](#).
- 9.22 The licence will specify permitted hours, after which the removal of tables and chairs will generally be required. Further guidance on tables and chairs is provided in Camden Planning Guidance document CPG Town Centres [and on Camden's Tables and Chairs website](#).

Security

- 9.23 Footpaths independent of roads can be beneficial in terms of following the most direct routes for pedestrians and creating pleasant environments. To provide security for pedestrians and cyclists, and discourage anti-social behaviour, designs should consider:
- Lighting;
 - Maintaining clear and unobstructed sightlines along the entire length of newly created routes;
 - Natural overlooking from adjacent buildings; and
 - The appropriateness of soft landscaping measures (e.g. trees and planting).

Pedestrian wayfinding signage

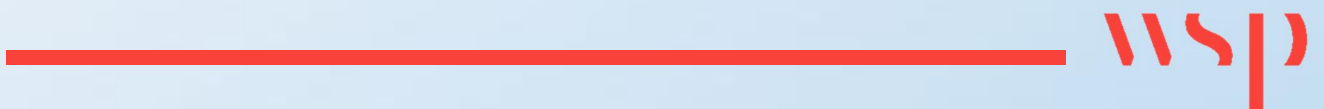
- 9.24 The Council will seek wayfinding signage on both the public highway and private land for developments that contain:
- Key routes to or through the site;
 - Decision points, arrival points and places where pedestrians are likely to gather;
 - Complex spaces; and/or
 - Where a site is located near to areas or points of specific interest including civic spaces and public buildings.
- 9.25 Legible London was set up by Transport for London (TfL) in partnership with London boroughs to create a standard pedestrian wayfinding and signage system for central and inner London. It is a map-based system which gives users a good understanding of the surrounding area and encourages them to

choose their own route to a specific destination. Such signing is useful in encouraging people to make short journeys on foot rather than by motor vehicle or public transport.

- 9.26 Developments in appropriate locations will be expected to provide contributions to wayfinding signage on the public highway in order to mitigate the increased level of activity their development generates and to encourage trips to be made by sustainable modes of transport. Refer to Section 2 (Assessing Transport Impact) of this CPG for further information.

Appendix D

EMAIL CORRESPONDENCE



Williamson, Ross

From: Young, Tony <Tony.Young@camden.gov.uk>
Sent: 24 July 2020 09:58
To: Williamson, Ross
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)
Attachments: Decision notice - 2020.1666.P.pdf; Decision notice - 2020.2466.A.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Morning Ross

I confirm that the above applications have been determined (please see attached decision notices). The decision notices and officer report will also be available on the Council's website shortly.

I would appreciate it if you could take a few moments to complete our [online planning applicant's survey](#). There are just 5 questions and the information you give us will be used to monitor and improve our services.

Finally, I'd like to thank you for your cooperation throughout the course of the application. I wish you well with the project.

Kind regards
Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>
Sent: 21 July 2020 17:41
To: Young, Tony <Tony.Young@camden.gov.uk>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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That's great, cheers Tony.

Kind regards,

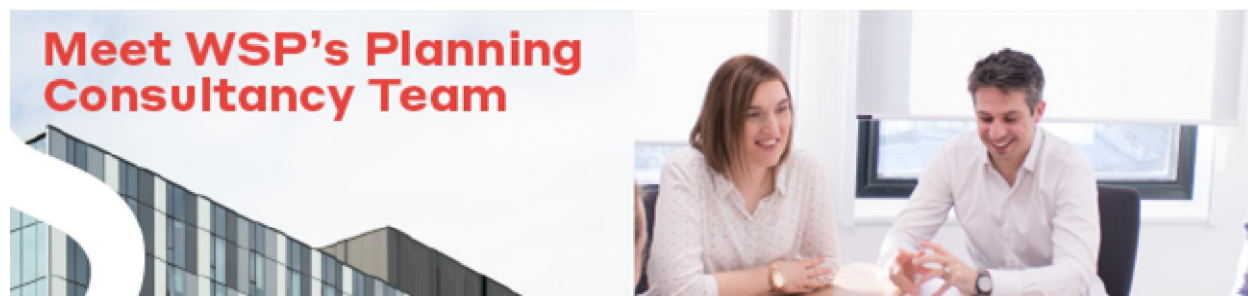
Ross Williamson BA (Hons)

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From: Young, Tony <Tony.Young@camden.gov.uk>

Sent: 21 July 2020 16:44

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thanks very much for your email.

The report and details are with a senior officer to check and confirm the final decisions. I'll contact you as soon as I'm informed of the outcome which I expect to be by no later than the end of the week.

Kind regards

Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden

2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>
Sent: 20 July 2020 15:46
To: Young, Tony <Tony.Young@camden.gov.uk>
Cc: Stott, Anna <anna.stott@wsp.com>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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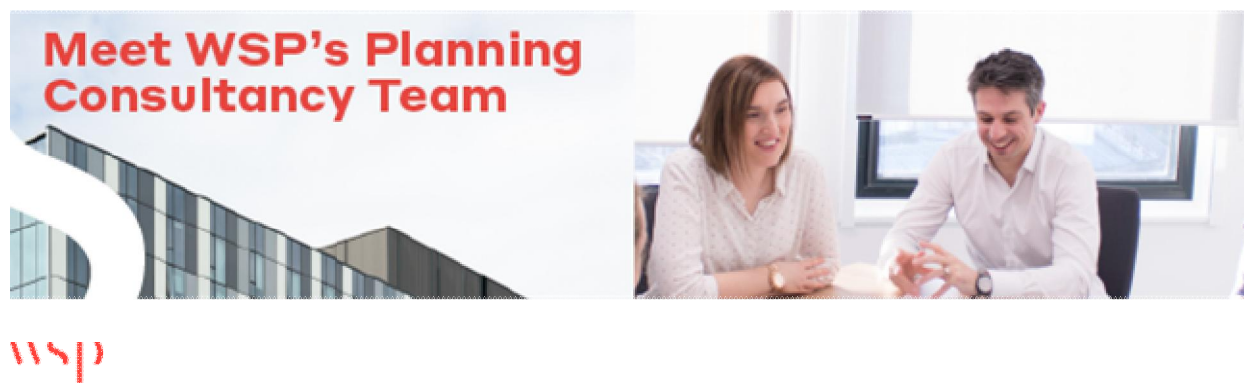
Hi Tony,

Could you please provide us an update on the progress of these decisions?

Kind regards,

Ross Williamson BA (Hons)
Graduate Planner

M: +44 (0)7469 156845
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From: Young, Tony <Tony.Young@camden.gov.uk>
Sent: 15 July 2020 17:07
To: Williamson, Ross <ross.williamson@wsp.com>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Thanks, Ross. I appreciate your patience.

Kind regards
Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>
Sent: 15 July 2020 15:14
To: Young, Tony <Tony.Young@camden.gov.uk>
Cc: Stott, Anna <anna.stott@wsp.com>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Hi Tony,

Yes, all good thanks.

That's okay, do let us know when you're able to provide the decisions.

Kind regards,

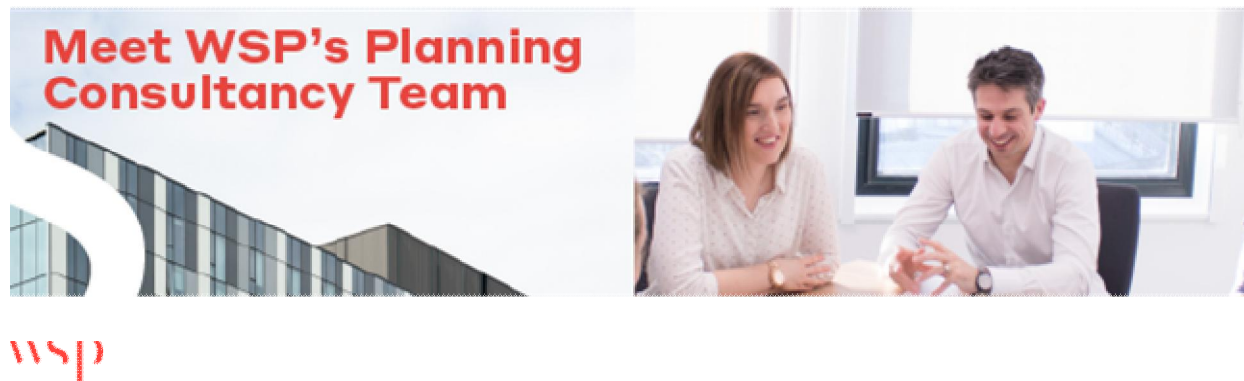
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From: Young, Tony <Tony.Young@camden.gov.uk>

Sent: 14 July 2020 17:03

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thanks very much for your email. I had a good weekend, thanks. And you?

I had planned to put the application forward with a recommendation last Friday so that it could be determined this week as we had planned. This was, of course, based on everything moving forward without any issues. Unfortunately, it wasn't possible to do this until your client confirmed how they wished to proceed and with any necessary drawings. This therefore resulted in short delay. I now aim to put this forward with a recommendation by the end of the week. This is the soonest that I'm able to do so. It then needs to be checked by a senior officer who makes the final decision.

I do apologise that it hasn't been possible to do this sooner. Naturally, I'll do my best to progress this as quickly as possible. I'll contact you as soon as I'm informed of the outcome.

In the meantime, I wish you a good week.

Kind regards

Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden

2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>

Sent: 13 July 2020 13:52

To: Young, Tony <Tony.Young@camden.gov.uk>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: FW: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Hi Tony,

Hope you had a good weekend. I wanted to quickly check to see if we're still on course for the decisions to be issued tomorrow?

Many thanks.

Kind regards,

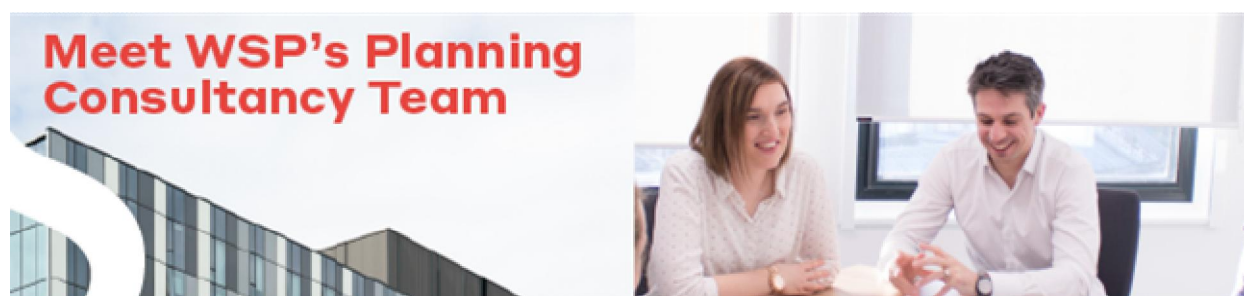
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From: Williamson, Ross
Sent: 10 July 2020 13:42
To: Young, Tony <Tony.Young@camden.gov.uk>
Cc: Stott, Anna <anna.stott@wsp.com>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Tony,

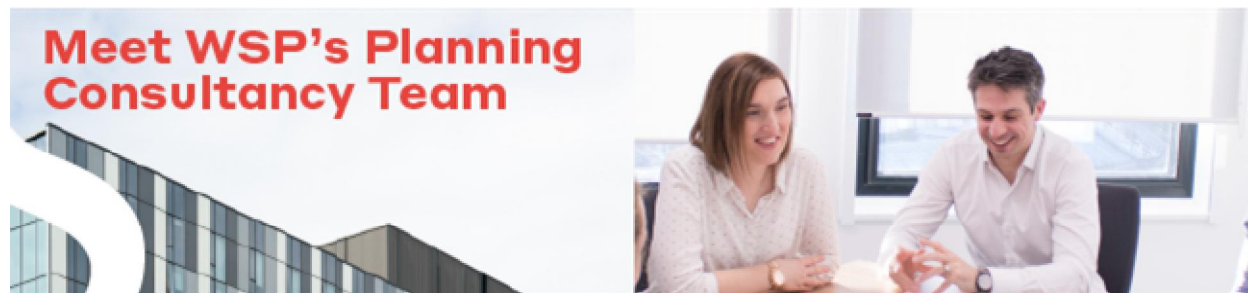
Please find attached an updated drawing pack for the full application – this provides ATM security details and removes Signs 7 and 8 from the pack for completeness.

Do let me know if you have any queries regarding the attached.

Kind regards,

Ross Williamson BA (Hons)
Graduate Planner

M: +44 (0)7469 156845
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E: ross.williamson@wsp.com



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From: Young, Tony <Tony.Young@camden.gov.uk>
Sent: 10 July 2020 12:42

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thanks very much for your email. I'm very well thank you. I hope you are too.

That all sounds fine. Please forward the amended drawings when you're ready and we'll take it from there.

In the meantime, I wish you a good weekend.

Kind regards

Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>

Sent: 10 July 2020 12:35

To: Young, Tony <Tony.Young@camden.gov.uk>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Hi Tony,

Hope all's well. Further to our chat last week, I've had an opportunity to discuss further with Sainsbury's and set out our approach below.

Regarding the advert application, Sainsbury's are not intending to remove Signs 7 and 8 from the proposal, so would like to agree to a mixed decision on this – this would allow approval for the adverts you deemed acceptable and would give Sainsbury's the opportunity to appeal the refusal of Signs 7 and 8 further down the line.

In regards to the planning application for shop front alterations, we will get revised drawings over to you that removes Signs 7 and 8 from the proposal and includes the ATM security details that you've requested.

Can I confirm that this approach is acceptable with you?

Our architects are just finalising the updated drawings now, so hopefully I'll be able to share these with you either today or by Monday.

Happy to chat through if easier.

Kind regards,

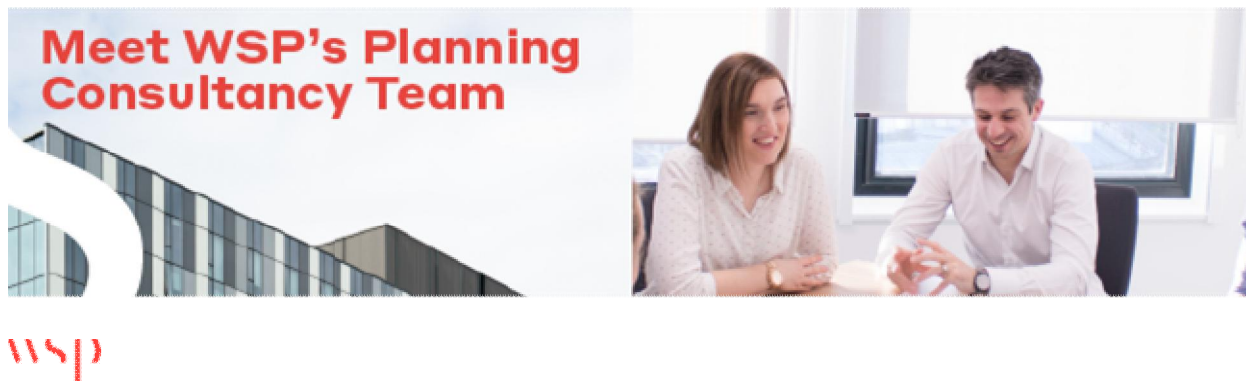
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From: Young, Tony <Tony.Young@camden.gov.uk>

Sent: 01 July 2020 16:57

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thanks very much for your email. I'm sorry that I wasn't available to take your call.

I perfectly understand your client's position in trying to maximise the presence of the retail unit, however, signs 7 and 8 extend beyond the retail frontage itself and wouldn't be appropriate in their proposed locations for the reasons set out in my previous email. While I welcome the omission of sign 7 from the proposal, this doesn't overcome the concern expressed in regard to sign 8. I don't consider that this sign would be appropriate in this location, and therefore, revisions wouldn't overcome the concern raised. As such, my advice remains the same that both signs should be removed from the proposal.

I'd be grateful if you could let me know how you wish to proceed once you've had an opportunity to discuss the above with your client. If your client is willing to remove signs 7 and 8 from the proposal, then please could you amend the relevant drawings accordingly as soon as possible.

Kind regards

Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>

Sent: 01 July 2020 11:07

To: Young, Tony <Tony.Young@camden.gov.uk>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Morning Tony,

I've just left a message for you, so feel free to give me a call back when you get the chance.

Sainsbury's have internally discussed removing Signs 7 and 8 from the proposal and they're very keen not to lose a brand presence on this elevation, as the adverts have importance both in terms of directional aid for customers as well as for security. As a compromise, I was hoping we could discuss whether we could agree to remove one of the signs from the elevation but to keep the other – i.e. we could remove the projecting sign (Sign 7) and keep the "Sainsbury's Local" lettering (Sign 8)?

We'd also be happy to discuss lowering illuminance that would soften the impact of the advert.

Look forward to hearing from you.

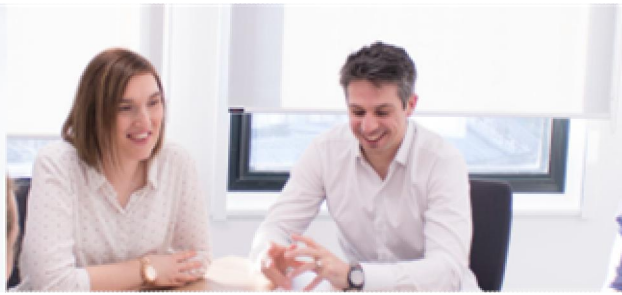
Kind regards,

Ross Williamson BA (Hons)
Graduate Planner

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E: ross.williamson@wsp.com



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From: Young, Tony <Tony.Young@camden.gov.uk>

Sent: 19 June 2020 16:22

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thanks for your email. All understood.

If you mean a mixed decision, then yes, that is possible for the advertisement application. However, you would need to remove signs 7 & 8 from the drawings for the planning application for the purposes of clarity and the avoidance of doubt.

Therefore, unless you client wishes for signs 7 and 8 to be formally determined, I would advise that these signs are removed entirely from all drawings for both applications.

In the meantime, I wish you a good weekend.

Kind regards
Tony

Tony Young
Planning Technician

Telephone: 020 7974 2687



From: Williamson, Ross <ross.williamson@wsp.com>

Sent: 19 June 2020 11:06

To: Young, Tony <Tony.Young@camden.gov.uk>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Hi Tony,

Thanks for the update.

I've discussed the below with Sainsbury's and can confirm we will provide the security measures for the ATM that you outlined in point 3, as follows:

- Visibility mirror to improve surveillance for the user;
- Minimum 28 day storage facility in connection with security CCTV camera coverage; and
- Privacy zone ground markings to keeps users at a safe distance.

In regards to the removal of signs 7 and 8, Sainsbury's need to discuss this with their branding team, so I will have to get back to you on this point.

Once this has been resolved, we'll provide updated drawings including all of the above.

Would a split decision on the adverts be a possibility?

Kind regards,

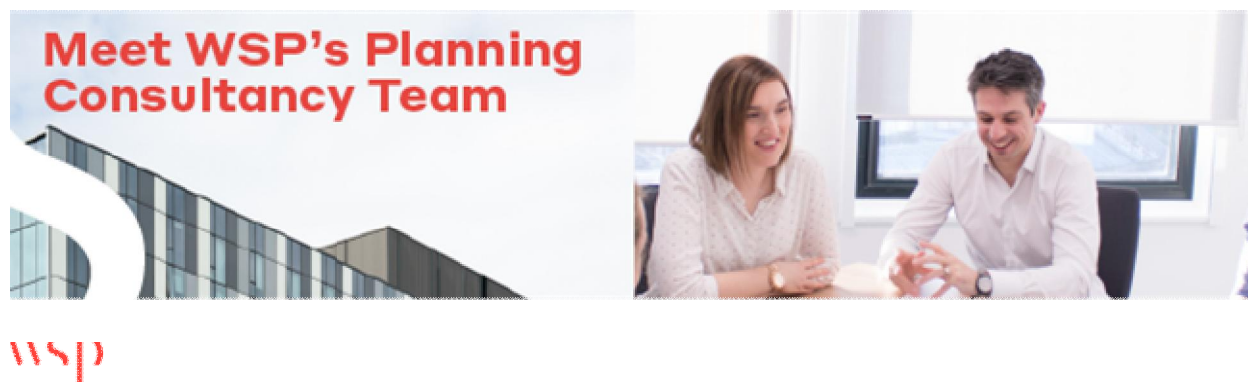
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From: Young, Tony <Tony.Young@camden.gov.uk>

Sent: 18 June 2020 17:00

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Following on from my email yesterday, I want to update you on some of the outstanding matters:

1. Signs 7 and 8 – I've now had an opportunity to discuss the proposal with a Council Design Officer who raises no objections to the overall proposal, but does share my concern with regard to proposed signs 7 and 8. As expressed previously, I consider the display of signage to be unsuitable on this elevation as it doesn't form part of the retail frontage and is read as being more residential in character. As a result, any retail signage would not only blur the edges of the Sainsbury's unit on the other side, but would also be misleading in a visual sense both for the retail unit and residential units, especially as the proposed signs would be flanking the residential facade of the building which should continue to have its own treatment.

It follows that signage here would appear out-of-place and would introduce visual clutter, and as such, any amendments to reduce luminance levels or remove illumination altogether wouldn't alter the inappropriateness of signage in this location. I therefore advise your client to remove signs 7 and 8 from the proposals.

2. Louvres – I also managed to discuss the proposals with a Council Environmental Noise Officer who raised no objections to the proposal.

In summary, if you are able to provide me with a response concerning security measures (point 3) of my previous email and your client is willing to remove signs 7 and 8 from the proposal (and amend the relevant drawings accordingly), then I don't have any other outstanding issues. I still need to wait until the consultation period ends on 04/07/2020, of course, to see if any responses are received which raise any additional planning concerns.

I'd be grateful if you could let me know how you wish to proceed once you've had an opportunity to discuss the above with your client.

Kind regards

Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Young, Tony

Sent: 17 June 2020 11:29

To: Williamson, Ross <ross.williamson@wsp.com>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thank you for your email and additional drawings/confirmation (re. security light/CCTV, illuminated lettering). I'm very grateful to you for providing these. That's fine.

To update you on the other outstanding matters:

1. Signs 7 and 8 – I'm grateful for your response and understand the position. I will be discussing this with a design officer later today or tomorrow;
2. Louvres – I anticipate a response from the Council's Environmental Noise Officer on Monday;
3. Security measures – the Metropolitan Police have now responded and raise no objections to the proposed ATM subject to you addressing the additional security points that I raised previously with you (i.e. visibility mirror, minimum 28 day storage facility for CCTV camera coverage, privacy zone ground markings). I accept that a PIN number guard is unlikely to be fitted from your email and accept the reasons for that. With regard to the privacy zone ground markings, these need to be shown and annotated on the proposed ground floor plan.

The Metropolitan Police Officer also raised a concern for your client to note with regard to the proximity of the planter to the proposed ATM and the potential for it being used as a seat for begging. Your client should bear this in mind from a security and customer comfort point of view. While it's noted that this type of anti-social behaviour (ASB) is not common in this location, it may increase due to the heavier footfall when the store opens. Also, please note the following with regard to proposed ATM lighting:

- 200-300 Lux is recommended for ATM keyboard illumination;
- 50 Lux is suggested as the minimum ambient illumination at floor level up to a distance of 1 metre from the face of the ATM and extending 75 cm either side of the mid-point of the ATM;
- This is also the minimum level recommended where a CCTV camera is fitted. 200 Lux ambient illumination at floor level should be considered in areas deemed to pose a higher risk to customers at night (colour rendering index min>60Ra should be considered).

The Metropolitan Police Officer who considered the proposal specialises in designing out crime in development, and as such, offered to provide any further advice or assistance should your client require it (direct contact details: Jim Cope, Police Constable – Design Out Crime Officer - 0208 733 3703 /

Jim.Cope@met.pnn.police.uk)

I'll be in contact about the first 2 points as soon as I've received a response.

Kind regards

Tony

Tony Young - Planning Technician
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Culture and Environment Directorate
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2nd Floor, 5 Pancras Square London N1C 4NG
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From: Williamson, Ross <ross.williamson@wsp.com>

Sent: 15 June 2020 18:02

To: Young, Tony <Tony.Young@camden.gov.uk>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Hi Tony,

I'm pleased to attach an updated drawing pack as well as the louvres specification for your knowledge. These should address the following:

- I can confirm the security light / CCTV are the correct way round;
- It is **only** the lettering of the projecting signs that are to be illuminated; and
- Manufacturer's specification document (louvres) – see attached.

In terms of any change to Signs 7 & 8, we are really keen to maintain the provision of this signage as it acts as important branding, has security benefits and signposts the store. However, we would be open to potentially discussing a reduction in illuminance that may soften their impact.

I believe the only outstanding point relates to the security measures of the ATM, which I am still waiting details of from Sainsbury's – I'll provide these as soon as I can. I do know from a brief conversation with Sainsbury's that due to COVID-19 they won't be installing a PIN number guard that users have to lift.

In the meantime, what are your initial thoughts on the application? Have you received any comments that you could share with us?

Look forward to hearing from you. If you do have any queries feel free to give me a call.

Kind regards,

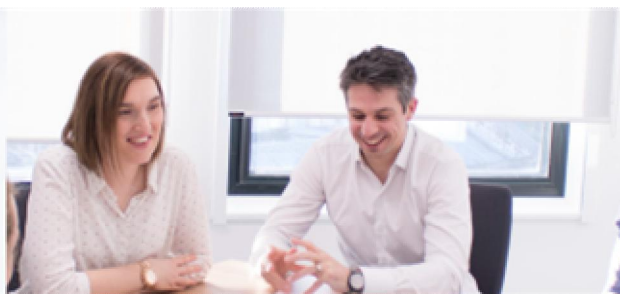
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From: Williamson, Ross
Sent: 10 June 2020 12:31
To: Young, Tony <Tony.Young@camden.gov.uk>
Cc: Stott, Anna <anna.stott@wsp.com>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Tony,

We're just working with Sainsbury's and their architects to address your points in your previous emails – hopefully I'll be able to share updates with you soon.

In regards to land ownership, we've pulled out the land registry details, which do confirm Camden as owners (see attached).

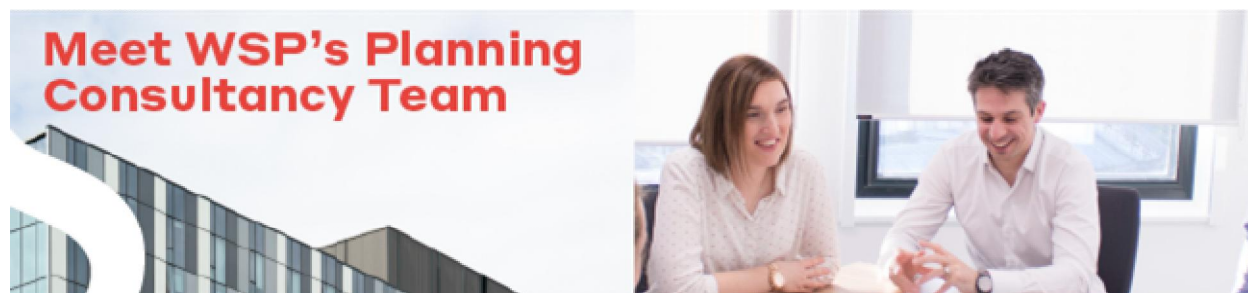
I can also confirm that Sainsbury's are happy to agree to your proposed extension of 14/07/2020, but we would be grateful if we can issue a decision earlier if possible.

I will get back to you shortly on the other matters.

Kind regards,

Ross Williamson BA (Hons)
Graduate Planner

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From: Young, Tony <Tony.Young@camden.gov.uk>
Sent: 08 June 2020 17:26
To: Williamson, Ross <ross.williamson@wsp.com>
Cc: Stott, Anna <anna.stott@wsp.com>
Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Hi Ross

Thanks for your email and understanding in this matter. I'm very grateful.

I look forward to receiving the addition information/clarification in due course. In answer to your specific points:

Cover Letter – many thanks

Drawing numbers – I've just realised that both drawings are noted as being revised in the drawing notes, but this isn't reflected as the correct version on the drawing numbers (see drawings attached and highlighted in red). Please could you amend the drawing numbers so they are consistent.

Site location plan – many thanks

Security light and CCTV / Projecting signs / Manufacturer's specification document (louvres) / Security measures / Signs 7 and 8 - all noted

Ownership Certificate B – the onus is on the applicant to inform all owners, so I'm happy to proceed as things stand in that regard as the Sainsbury's estate team are likely to have the most up-to-date details.

Extension of time – the consultation period expires on the 06/07/2020. My intention is to arrange for the application to be determined on or before 14/07/2020, this week being the earliest possible time when a decision could be issued. I hope this is agreeable to you and your client.

If you have any queries or concerns, then please do not hesitate to contact me and I'll try to help.

Kind regards
Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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From: Williamson, Ross <ross.williamson@wsp.com>

Sent: 05 June 2020 10:13

To: Young, Tony <Tony.Young@camden.gov.uk>

Cc: Stott, Anna <anna.stott@wsp.com>

Subject: RE: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

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Hi Tony,

Many thanks for your email and for confirming registration of our applications. No worries about the delay, I can appreciate how the “new normal” is impacting working practices!

I've addressed a couple of your points below, but will be getting in touch with Sainsbury's also to see how we can work through your queries.

Cover Letter

Do accept my apologies, I must have mistakenly missed off the covering letter when uploading all the documents onto Planning Portal – I attach the cover letter for your knowledge.

Drawing numbers

I can also confirm that the drawings submitted are the correct versions – again, apologies for any confusion, I've attached the drawings with a corrected file name.

Site location plan

To confirm, our application site is just the extent of the supermarket and supermarket plant as approved in planning permission 2013/4678/P (see attached PL100), so we would consider our location plan to be accurate.

Could you confirm again if the location plan does need updating?

Security light and CCTV

I will quickly clarify the position of the CCTV / light with the architect and shall revert back shortly.

Projecting signs

Again, I shall clarify what elements of the projecting sign are illuminated with the architect and will get back to you. Our Cadence levels for the illumination itself are in line with set guidance but happy to work through any concerns.

Manufacturer's specification document (louvre)

I shall again confirm this with the architect and will then share with you.

Ownership Certificate B

Apologies about this, Sainsbury's estate team informed us that landlord details were as follows:

The Mayor and Burgesses of the London Borough of Camden
Town Hall
Judd Street
London

If this is incorrect, we'll get back in touch with them to clarify correct ownership details.

Security measures

We shall ask Sainsbury's to confirm these security details.

Signs 7 and 8

Again, this is something we'll need to discuss with Sainsbury's. We shall come back to you on this point.

Extension of time

I assume Sainsbury's will be happy to extend the determination period by a short while to give us a chance to work through these points as well as any raised by consultees. Could you confirm the date you would like to extend to?

Thanks again for your email Tony, I hope to get back to you shortly on the outstanding points and will be in touch if we have any queries.

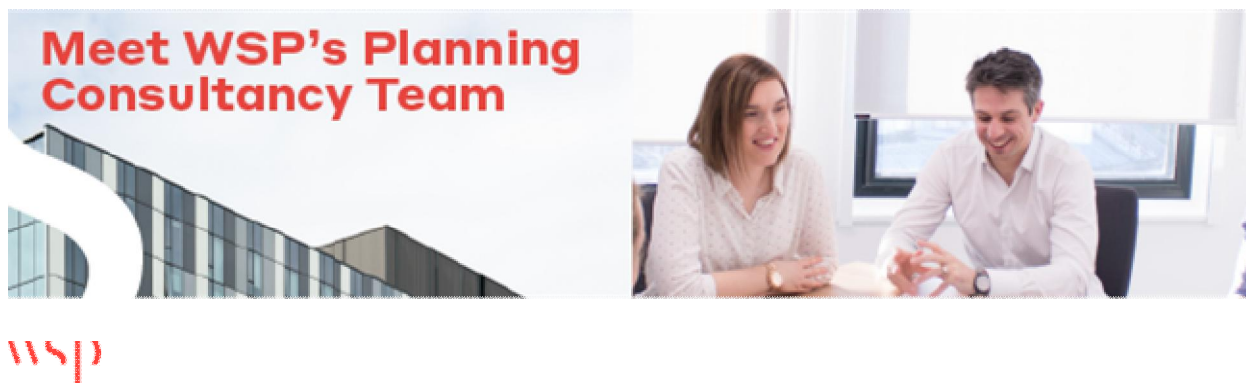
Kind regards,

Ross Williamson BA (Hons)
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From: Young, Tony <Tony.Young@camden.gov.uk>

Sent: 04 June 2020 17:59

To: Williamson, Ross <ross.williamson@wsp.com>

Subject: Planning and advertisement applications - 2020/1666/P & 2020/A - 131-143 Belsize Road (Sainsburys)

Dear Ross

Thank you for your application received on 14/04/2020. I will be the case officer for the application. I do appreciate that this application has been outstanding for quite a while, and therefore, please accept my apologies for this delay and in providing you with a response. The application reference numbers are 2020/1666/P & 2020/A.

Please could you forward the following information/drawings:

1. Cover letter – this is referred to on the application form but wasn't included as part of the submission. Please could you forward this if you feel it contains information that I need to be aware of and which supports the proposals;
2. Drawing numbers – the document names for drawings P-128229-210-D and 213-B differ from how they are shown on the drawings (as 210-C and 213-A respectively). I just wanted to be sure that you have forwarded the correct versions of these drawings and not an earlier version;
3. Site location plan – the boundary of the whole of the application site needs to be edged in red (rather than just the floor area affected). Please could you amend the site location plan accordingly. To assist you, I have included a draft plan which I believe to represent the application site;
4. Security light and CCTV – are these correctly labelled on drawing 210-C? In previous applications from Sainsbury and other applicants, the CCTV is normally to the side and the security above the ATM;
5. Projecting signs - please could you confirm whether it is lettering only that will be illuminated? Internally illuminated signs are discouraged within the borough; however, the internal illumination of individual lettering only, rather than the whole projecting sign, might be acceptable (the background of the sign remaining non-illuminated);
6. Manufacturer's specification document (louvre) – please could you provide the manufacturer's specification or product document for the louvre that is being proposed. A website link would be fine and reference to the particular type/product.

Other matters:

7. Ownership Certificate B - you have indicated on the application form that the Council have been notified as sole owners of the property; however, I'm not aware of the Council being sole or part owners of the property. Perhaps you could clarify this please? There are residential flats at the property so it's important that all owner(s) are informed, including any leaseholders with an unexpired lease of more than 7 years;
8. Security measures – the Metropolitan Police are being consulted concerning the proposals; however, prior to their response, they typically will request the following with regard to any new ATM which I suggest that you consider including/confirming as part of your proposals:
 - Visibility mirror to improve surveillance for the user (annotated on proposed elevation drawing)
 - Minimum 28 day storage facility in connection with security CCTV camera coverage
 - Privacy zone ground markings to keep users at a safe distance (marked and annotated on proposed floor plan)
 - PIN number guard to shield personal number (this is a useful feature though I'm aware Sainsbury may be phasing these out)
9. Signs 7 and 8 – I have an initial concern about the suitability for the display of any signage on this particular location as the elevation doesn't form any part of the frontage of the retail unit and is more residential in character. Signage here appears out-of-place as gives the impression of extending the retail element beyond its' frontage and introduces visual clutter. I'll provide you with a formal view once I have had an opportunity to discuss this with my design colleagues, but I wanted to bring this to your attention now as you may wish to consider altering the proposals in light of this view.

In good faith and expectation that you will forward these to me shortly, I confirm that your application has been registered (please see letter attached with further information). I am obliged to give consultees a 21 day period with which to make any comments. After this time, I will be in a position to provide a recommendation. I will, of course, prior to any recommendation, bring to your attention any issues that may arise during this period.

I also would like to request a short extension of time for the application to be determined. This would be for until a short period after the consultation period has finished to allow me to assess any responses and put

forward a recommendation. I perfectly understand it if you don't wish to agree to this given the delay that you have experienced to date, but I would be very grateful if you would consider it as it would assist me greatly.

If you have any queries or concerns, then please do not hesitate to contact me and I'll try to help.

Kind regards
Tony

Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square London N1C 4NG
Tel.: 0207 974 2687
Fax: 0207 974 1680

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