

Application ref: 2021/5500/A
Contact: Fast Track TY
Tel: 020 7974 2687
Email: Tony.Young@camden.gov.uk
Date: 28 November 2022

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

JCDecaux
Fao. Mr Nicholas Foxon
991 Great West Road
Brentford
LONDON
TW8 9DN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:

**Bus Shelter outside 58 Kilburn High Road
London
NW6 4HJ**

Proposal: Display of a double-sided, internally illuminated digital screen, integral to a new and repositioned bus shelter structure (Site G).

Drawing Nos: Site and location plans; Bus shelter and digital panel technical specifications;
Cover letter and appendices A and B from JCDecaux (ref. A01740-41) dated 02/11/2021.

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

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or

aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 6 The advertisement display shall be statically illuminated and the intensity of the illumination of the digital sign shall not exceed 2500 candelas per square metre during the day and 400 candelas per square metre during the hours of darkness in line with the maximum permitted recommended luminance as set out by 'The Institute of Lighting Professional's 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements' 2015. The levels of luminance on the digital sign should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policy A1, D1, D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 7 The digital sign shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 8 The minimum display time for each advertisement shall be 10 seconds.

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 9 The interval between advertisements shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including fading, swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 10 No advertisement displayed shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

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

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies A1, A4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

- 12 The footway and carriageway on the Transport for London Road Network (TLRN) and Strategic Road Network (SRN) must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic.

Reason: To ensure that the advertisement does not harm the character and appearance of the streetscene and does not create a distraction to pedestrian or vehicular traffic and therefore cause a hazard to highway safety. In accordance with the requirements of policies D4 and T1 of the Camden Local Plan 2017 and Transport for London Guidance for Digital Roadside Advertising 2013.

Informative(s):

- 1 Reason for granting advertisement consent:

Whilst it is accepted that all advertisements are intended to attract attention, the position of the proposed double-sided digital screen, on balance, would not be unduly dominant in the street scene, subject to conditions attached to this consent. It is noted that there is an existing freestanding BT Hub link located further along Kilburn High Road which has digital advertising panels. This does not appear incongruous within the context of this section of pavement and commercial high street location, which similar to the application site, is not located in a conservation area or within the setting of any listed buildings.

As such, the proposal is considered acceptable in terms of its design, size, method of illumination, luminance levels and location, and the impact on the visual amenity of the area is not considered to be harmful in this particular instance. To mitigate any impact on the surrounding streetscape, lower levels of illumination and restrictions on the rate and type of change of the display are secured by condition to reduce the visual impact of the display.

It is also important to note that the proposed digital screens would be displayed as an integral part of a proposed replacement bus shelter structure, on widened pavement, as shown on the submitted plans and as confirmed on the accompanying cover letter from JCDecaux (ref. A01740-41) dated 02/11/2021. Though works to widen the pavement in this location are planned to be implemented by the Highway Authority in the near future, these works are yet to be carried out. As such, advertisement consent is granted on the basis that these planned works are carried out prior to this advertisement consent being implemented.

This is particularly important as the proposal relies on a wider footway in order to allow the integral digital display unit to be orientated perpendicular to the road without otherwise impacting adversely on pedestrian movement and comfort along this narrow section of footway which is recognised as being a very busy high street environment with a significantly high level of pedestrian footfall and activity as a consequence. An informative has, therefore, been added to this decision notice to remind the applicant of the need for all planned footway widening works to be completed prior to implementation of this consent.

Under these circumstances, the location of the proposed digital advertisement screen as an integral part of a new, relocated bus shelter structure is not considered to be hazardous to pedestrian, or indeed, vehicular traffic. The double-sided screen would be located at an appropriate distance from road junctions and pedestrian crossings. As the advertisement would be seen by drivers in moving traffic, this approval includes a condition that restricts the display of moving images. Overall, therefore, in highways safety terms, the proposal does not raise any significant public safety concerns.

Whilst the method of illumination would cause some light spill, the position of the screens on the structure would be an appropriate distance facing away from the nearest neighbouring occupiers which are in commercial use. Lower levels of illumination during the hours of darkness and restrictions on the rate of change of the display are secured by condition attached to this consent. The proposed screens are not, therefore, considered to be harmful to neighbouring amenity.

The site's planning and appeal history has been taken into account when coming

to this decision. One objection was received by a local resident and has been addressed in the consultation summary associated with this decision.

As such, the proposed development is in general accordance with policies A1, D1, D4 and T1 of the Camden Local Plan 2017, the London Plan 2021, the National Planning Policy Framework 2021 and Transport for London's Guidance for Digital Roadside Advertising 2013.

- 2 Please be advised that this approval is subject to the widening of the pavement to enable the installation of the bus shelter in the location as shown on the plans hereby approved.

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 2021.

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

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer