

9th December 2022

Out of Home Media

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Croatia
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Denmark
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Finland
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**The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN**

Our Ref: A01740-41
LPA Ref: 2021/5494/A
2021/5505/A
2021/5508/A

Dear Sir/Madam,

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

Proposal: Upgrade of Advertising Displays at Existing Bus Shelters

**Locations: Site H Shelter o/s 10 Pond Street
Site I Shelter o/s 191 Haverstock Hill
Site J Shelter o/s 200-202 Haverstock Hill**

Please find enclosed completed appeal papers relating to the above sites, which are submitted under the provisions of Regulations 17 of the above Regulations and s78 of the above Act, as amended by part 3 Schedule 4 of the 2007 Regulations.

The appeals concern identical proposals, being the change in the technology used to display advertisements on the internal side of an existing illuminated advertised bus shelter. The shelters are located within the London Borough of Camden and form part of the Council's bus shelter contract with the Appellant. The appeals are submitted against the Local Planning Authorities (LPA) decision to refuse consent to convert the internal display at each shelter from a backlit printed 6 sheet advertisement to an LCD screen capable of sequential display. In each case the advertisement panel is an integral feature of the shelter structure, the detail for which is included with the appeals.

Background to Appeal

The appeal sites number three of originally 11 proposals to upgrade the advertising on existing bus shelters as part of a Borough wide scheme to continually improve the Council's existing shelter estate. Whilst the shelters

themselves will remain unchanged; the proposal concerned the technology used to display the advertisements. The use of digital technology can provide interactive functions and the capability to display live travel status updates and tourist information in addition to commercial messaging. LCD screens are also far more responsive, for example in the event of an emergency, the Council is able to override the commercial messaging to display important public information via a secure portal. The ability to change messages remotely through a secure ISDN line and to synchronize messaging across the entire network, which is both time sensitive and area specific, offers an unparalleled opportunity to improve the experience for the travelling public.

Detail of Proposal Advertisement

The size of the proposed advertisement is equal to the industry standard “6 sheet” panel, which provides a display area of just under 2m². This size of advertisement has long been considered an appropriate scale for the pedestrian environment and is the typical size of advertisement found in towns and Cities affixed to street furniture. In shelters at each of the appeal sites are already used to display back to back internally illuminated advertisements pursuant to express consent. Both current advertisements are displayed via an internal light source shining through a printed paper image, which is manually replaced every two weeks. The proposal in this appeal is to replace the internal advertisement which faces the waiting area beneath the shelter canopy with a screen of the same overall area dimensions.

The use of roadside digital technology is now the established alternative to the use of printed images and is becoming universal across London and other World cities. The primary impetus for such change is the unparalleled flexibility in display capability but also includes the efficiency savings in operational costs and the reduction in waste generation. Investment in the latest technology reflects a progressive approach to service delivery and sustainable developments. Greater detail on the nature of the proposal is contained within the application documentation appended to the appeals.

Application Process

Applications for all 11 sites were submitted to the LPA through the Planning Portal on the 2nd November 2021. Following feedback and discussion with

the LPA, the Appellant withdrew eight of the applications and on the 25th July 2022 amended the remaining three proposal sites from double sided to single side LCD screens internal to the shelter, please see **Appendix JCD 1**. Despite the withdrawal and amendment of the applications all three were refused by notice on the 16th and 24th November 2022, copies attached. The reasons for refusing consent are essentially the same of all decisions, which cite objection due to scale (size), location, prominence, orientation and method of illumination.

Grounds of Appeal

The Appellant considers that there are reasonable grounds to appeal the LPA's decision in this case, which are as follows:

- **SCALE**

The proposed advertisement display will remain the same size and in the same position as the existing advertisement display. The only difference between the existing and proposed advertisement will be the means by which the images are displayed and changed. The size of the advertisement is identical and the industry standard "6 sheet", which provides an advertising area of just under 2m². Each of the existing advertisements being replaced currently benefit from deemed consent under Class 14 of the 2007 Regulations having been previously assessed and approved by the LPA and found appropriate within the context of the site. This scale of advertisement fits the shape of the shelter structure and is in fact designed around it. As there is no increase in advertising size it seems illogical that the continuation of the area of display now gives rise to objection.

- **LOCATION & ORIENTATION**

As stated above, the advertising use already exists at the locations for each of the appeal sites. This is not just within the general area but on the exact footprint of the existing illuminated display, without deviation or any alteration in positioning required. The bus shelter will remain in the same position also so the objection to advertisement location and orientation is unfounded.

- **PROMINENCE and ILLUMINATION**

The proposed change in the method of advertising display would not consequently result in the advertising being more prominent than the current advertisement being displayed. By confining the LCD screen to the internal facing advertisement only this will ensure that the least prominent of the two advertisements is subject to the change in technology. The effect of this is that views of the screen are more restricted to people within the shelter and drivers passing by, albeit fleetingly and through the constant movement of commuters that regularly congregate within the shelter. In terms of lighting method, this change in technology does not, as the LPA believes, make the advertisement more prominent by appearing brighter.

The light levels of the existing, and any subsequent, display can and are effectively controlled through the Institute of Lighting Professionals (ILP) guidance. The ILP guidance recommends a maximum level for 6 sheet displays of 600Cdm². In line with earlier advertisement consent granted by the Council for LCD screens on its estate, the replacement advertisements will operate with a maximum nighttime luminance set at 400Cdm² or can also operate effectively at a level of 250Cdm². Furthermore, the current advertisements are all internally illuminated and operate on a 24hour basis. This proposal seeks consent to display advertising only between the hours of 23:59 and 06:00. Although the shelters themselves will continue to be used and independently illuminated, the advertising screens will power down and not display any advertising material during these hours. The suggestion therefore that the change in technology for only the internal facing displays at these three appeal sites would make them more prominent and harmful to amenity is without substance.

- The proposals do not seek to add more furniture to the street, all the sites under appeal are existing items of street furniture. The technological change in the method of advertisement display does not fundamentally alter the type of use, only the way in which it is achieved. All development needs to be sited with sensitivity and respect for their surroundings particularly when the setting has historic significance. Respect for heritage does not however equate to a prohibition on development. Areas are subject to change and

evolution and can adapt to such change without loss of character or degradation in appearance, provided development is sensitive to context and sets the highest standards of design. The proposed change in method of display should not cause any adverse effect on visual amenity and represents a relatively minor alteration to the street scene and one that would be visually neutral in impact.

- The advertisements are positioned close to the roadside and set within the footprint of a bus shelter. The displays would be visible to passing traffic but fall short of being unacceptably intrusive or visually harmful.

The grounds of appeal above are to be read in conjunction with the application submissions. The Appellant contends that the replacement of the existing internal advertised face of the bus shelters at the three appeal sites would not be detrimental to the visual amenity of the locality or harmful to the character and appearance of the street. The Inspector is requested to uphold these appeals and to grant advertisement consent as applied for.

Yours sincerely,



Martin Stephens BA (Hons) Dip TP MRTPI

Director of Planning

JCDecaux UK Limited

T: 020 8326 7732

F: 020 8326 7738

Email: martin.stephens@jcdecaux.co.uk