



AGENDA FOR THE PLANNING SUB COMMITTEE A

Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **3 July 2017 at 7.30 pm.**

Yinka Owa
Director – Law and Governance

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Despatched : 23 June 2017


Welcome:

Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Klute (Chair)	- St Peter's;	Councillor Donovan-Hart	- Clerkenwell;
Councillor Nicholls	- Junction;	Councillor Khan	- Bunhill;
Councillor Picknell	- St Mary's;	Councillor Court	- Clerkenwell;
Councillor Gantly	- Highbury	Councillor Kay	- Mildmay;
East;		Councillor Fletcher	- St George's;
Councillor Ward	- St George's;	Councillor Chowdhury	- Barnsbury;
		Councillor Convery	- Caledonian;
		Councillor A Perry	- St Peter's;
		Councillor Williamson	- Tollington;
		Councillor Gill	- St George's;
		Councillor Wayne	- Canonbury;
		Councillor Poyser	- Hillrise;
		Councillor Webbe	- Bunhill;
		Councillor O'Halloran	- Caledonian;
		Councillor Turan	- St Mary's;

Quorum: 3 councillors



A. Formal Matters	Page
1. Introductions	
2. Apologies for Absence	
3. Declarations of Substitute Members	
4. Declarations of Interest	

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business	1 - 4
6. Minutes of Previous Meeting	5 - 12
B. Consideration of Planning Applications	Page
1. PAVEMENT ADJACENT RAILWAY BRIDGE AND 351 CALEDONIAN ROAD, LONDON N1	13 - 34

2.	PAVEMENT OPPOSITE 120 CENTRAL STREET, LONDON, EC1V	35 - 56
3.	PAVEMENT OPPOSITE 152A SEVEN SISTERS ROAD N7	57 - 78
4.	PAVEMENT OUTSIDE 117 -119 FONTHILL ROAD, LONDON N4	79 - 100
5.	PAVEMENT OUTSIDE 169-173 OLD STREET, LONDON EC1V	101 - 124
6.	PAVEMENT OUTSIDE 174 CALEDONIAN ROAD, LONDON N1	125 - 148
7.	PAVEMENT OUTSIDE 268-270 SEVEN SISTERS ROAD, LONDON N4	149 - 172
8.	PAVEMENT OUTSIDE 379 HOLLOWAY ROAD, LONDON N7	173 - 194
9.	PAVEMENT OUTSIDE Highbury Vale Police Station, 211 Blackstock Road, LONDON N5	195 - 216
10.	PAVEMENT OUTSIDE ROYAL BANK OF SCOTLAND, REGENT'S HOUSE, 42 Islington High Street, LONDON, N1	217 - 240
11.	PAVEMENT OUTSIDE THE GRADUATE CENTRE, 166-220 HOLLOWAY ROAD, LONDON N7	241 - 262

C. Consideration of other planning matters Page

D. Urgent non-exempt items (if any)

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

E. Exclusion of press and public

To consider whether, in view of the nature of the remaining item on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

F. Confidential/exempt items Page

G. Urgent exempt items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Sub Committee A, 4 September 2017

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

Each Planning Sub-Committee consists of five locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Sub-Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Sub-Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Sub-Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Sub-Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Ola Adeoye/Jackie Tunstall on 020 7527 3044/3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

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COMMITTEE AGENDA

**1 Pavement Adjacent Railway Bridge and 351 Caledonian Road
London
N1**

**2 Pavement opposite 120 Central Street
London
EC1V**

**3 Pavement opposite 152A Seven Sisters Road
London
N7**

4 Pavement outside 117 - 119 Fonthill Road, London N4

**5 Pavement outside 169 - 173 Old Street
London
EC1V**

6 Pavement outside 174 Caledonian Road, London N1

7 Pavement outside 268 - 270 Seven Sisters Road, London N4

8 Pavement outside 379 Holloway Road, London, N7

**9 Pavement outside Highbury Vale Police Station, 211 Blackstock Road
London
N5**

**10 Pavement outside Royal Bank of Scotland, Regent's House, 42 Islington High Street,
London N1**

11 Pavement outside The Graduate Centre, 166 - 220 Holloway Road, London, N7

**1 Pavement Adjacent Railway Bridge and 351 Caledonian Road
London
N1**

Ward: Caledonian

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0903/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

2 Pavement opposite 120 Central Street

London

EC1V

Ward: Bunhill

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0697/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

3 Pavement opposite 152A Seven Sisters Road

London

N7

Ward: Finsbury Park

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0698/ADV

Application Type: Advertisement Consent

Case Officer: Sally Fraser

Name of Applicant: Mr Neil Scoresby

Recommendation:

4 Pavement outside 117 - 119 Fonthill Road, London N4

Ward: Finsbury Park

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0949/ADV

Application Type: Advertisement Consent

Case Officer: Sally Fraser

Name of Applicant: British Telecommunications plc, Mr N. Scoresby

Recommendation:

5 Pavement outside 169 - 173 Old Street

London

EC1V

Ward: Bunhill

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0922/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

6 Pavement outside 174 Caledonian Road, London N1

Ward: Barnsbury

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0573/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

7 Pavement outside 268 - 270 Seven Sisters Road, London N4

Ward: Highbury West

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0605/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

8 Pavement outside 379 Holloway Road, London, N7

Ward: Holloway

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0553/ADV

Application Type: Advertisement Consent

Case Officer: Sally Fraser

Name of Applicant: British Telecommunications plc, Mr N. Scoresby

Recommendation:

9 Pavement outside Highbury Vale Police Station, 211 Blackstock Road London N5

Ward: Highbury East

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0900/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

10 Pavement outside Royal Bank of Scotland, Regent's House, 42 Islington High Street, London N1

Ward: St. Peters

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0599/ADV

Application Type: Advertisement Consent

Case Officer: Emily Benedek

Name of Applicant: Mr Neil Scoresby

Recommendation:

11 Pavement outside The Graduate Centre, 166 - 220 Holloway Road, London, N7

Ward: Highbury West

Proposed Development: Installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides.

Application Number: P2017/0550/ADV

Application Type: Advertisement Consent

Case Officer: Sally Fraser

Name of Applicant: British Telecommunications plc, Mr N. Scoresby

Recommendation:

London Borough of Islington

Planning Sub Committee A - 9 May 2017

Minutes of the meeting of the Planning Sub Committee A held at Council Chamber, Town Hall, Upper Street, N1 2UD on 9 May 2017 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Nicholls (Vice-Chair), Poyser, Gantly and Wayne
Also Present: **Councillors:** Webbe and Ward

Councillor Martin Klute in the Chair

271 **INTRODUCTIONS (Item 1)**

Councillor Klute welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

272 **APOLOGIES FOR ABSENCE (Item 2)**

Apologies were received from Councillors Convery and O'Halloran.

273 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item 3)**

Councillors Wayne and Gantly substituted for Councillors Convery and O'Halloran respectively.

274 **DECLARATIONS OF INTEREST (Item 4)**

The Chair informed the meeting that due to issues around predetermination Councillor Nicholls, the Vice Chair would be chairing the meeting while Item 4 – Barnard Park was being considered, and that he would be leaving the room during this period.

Councillor Poyser declared a personal interest in item 5 as he was a member of the Islington Society.

275 **ORDER OF BUSINESS (Item 5)**

The chair informed the meeting that based on the level of public interest, the items on the agenda will be taken in the following order, B4, B1, B6, B3, B2 and B5.

276 **MINUTES OF PREVIOUS MEETING (Item 6)**

RESOLVED:

That the minutes of the meeting held on 21 March 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

277 **19 SOUTHCOTE ROAD, ISLINGTON, LONDON, N19 5BJ (Item B1)**

Erection of a single storey lower ground floor rear infill extension with sloping roof finish and alteration to an existing rear lower ground floor window.

(Planning application number: P2016/3953/FUL)

In the discussion the following points were made:

- In response to concerns about overshadowing, the Planning Officer advised that the overall height and sloping roof of the proposed extension was considered acceptable and would not lead to a material impact on daylight receipt or sense of enclosure to the neighbouring outdoor space.

RESOLVED:

That planning permission be granted subject to the conditions as set out in Appendix 1 of the officer report.

278 **270 HOLLOWAY ROAD, LONDON, N7 6NE (Item B2)**

Demolition of existing building and construction of a five storey mixed-use building comprising a ground floor cafe/ restaurant (A3) and four 2-bedroom flats (C3) including associated residential cycle parking and private amenity space to first floor flat at the rear with roof level solar pv panels and rear flue to the rear elevation

(Planning application number: P2016/1602/FUL)

In the discussion the following points were made:

- In response to a question on the design, location and overall dimensions of the proposed rear flue, the Committee requested that condition 5 to be amended to include specific dimensions, final location and size of the rear flue.

Councillor Klute proposed a motion to amend the condition relating to the design of the flue. This was seconded by Councillor Poyser and carried.

Delegated Condition Wording:

CONDITION: Notwithstanding the hereby approved plans, detailed plans detailing the final design, scale, location, diameter and colour finish of proposed rear flue, extraction systems and other plant associated with the A3 unit hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the A3 unit hereby approved.

These details shall also include fan noise data and silencer specification, hours of operation and any other noise and vibration mitigation measures. The flue/stack shall discharge the extracted air no less than 1.0m above the roof eaves of the building to which it is affixed.

Planning Sub Committee A - 9 May 2017

The flue shall be fitted with fine filtration or Electrostatic Precipitation followed by carbon filtration (carbon filters rated with 0.1 second resistance time) or alternatively fine filtration followed by counteractant / neutralising system to achieve the same level as above. The fan and silencer shall be regularly checked, maintained and serviced in accordance with the manufacturer's/installer's guidelines.

Any noise and vibration mitigation measures shall be carried out strictly in accordance with the details hereby approved and shall be maintained as such thereafter. The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned in accordance with the manufacturers/ installer guidelines; and any filters and parts requiring cleaning or replacement shall be easily accessible.

The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter into perpetuity.

REASON: In the interest of protecting future residential amenity and the appearance of the resulting building(s).

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 and the amended condition stated above

279

798-804 HOLLOWAY ROAD, LONDON, N19 3JH (Item B3)

Demolition of the existing building and erection of a part two, part four, part five storey building with 598 sqm retail floorspace (Use Class A1) at ground floor and basement levels, 310 sqm office (Use Class B1) at first floor, and 9 residential units above (Use Class C3; 4 x 1 beds, 4 x 2 beds, 1 x 3 bed), including cycle and waste storage and outdoor amenity space.

(Planning application number: P2016/4529/FUL)

In the discussion the following points were made:

- The Planning Officer acknowledged that the scheme before the Committee would be delivering 9 flats and not 13 flats, and that the concerns raised by the objector was based on a misunderstanding around the planning history.
- The Legal Officer confirmed that a clause had been included in the draft legal agreement ensuring that if a future proposal comes forward to increase the number of residential units on site, that the total number of residential units on the site would be considered when assessing the affordable housing requirements; and that this clause would enable the Council to still consider the total number of residential units on site in any future proposal.
- The Legal Officer acknowledged that conditions had been drafted to remove future permitted development rights.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report and conditional on the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

280

BARNARD PARK, COPENHAGEN STREET, ISLINGTON, LONDON, N1 ONL (Item B4)

Councillor Nicholls was in the Chair for this item as Councillor Klute left the meeting and was not involved in the consideration of this item.

Refurbishment of east side of Barnard Park involving replacement of existing sports pitch (8,990 square metres) with a new sports pitch (2,835sqm), the creation of a large 'Village Green' grass area (2,812sqm), and other works including planting and landscaping, construction of turfed areas and re-design of pathways.

(Planning application number: P2016/1109/FUL)

In the discussion the following points were made:

- The Planning Officer advised that a supplementary report was circulated prior to the meeting setting out further responses received since the drafting of the report. Additionally a verbal update was provided by the Planning Officer at the meeting advising that since the supplementary report, two (2) letters of support had been received and 4 letters of objection. Again, no new issues had been raised. In total, the Council had received 302 responses, 233 in support, 64 objections and 4 letters providing comments.
- Discussion around concerns regarding rubbish bins and if it was possible to address those concerns within the scheme – the applicant advised it was possible to address these concerns;
- It was queried by Members if the existing sport pitch was entirely free for access, with the response being that it is but only in daylight hours given there being no lighting for evening use;
- It was noted that the proposals would introduce a greater degree of flexibility for local people;
- It was queried how many hours of use of the proposed 7 a side pitch would be free access, to which it was responded that there would be, the detailed amount of free access to be secured as part of the Community Use Agreement via a Directors letter agreement (equivalent to a s106 agreement);
- Members queried the impacts on biodiversity by the proposals (the site being within a Site of Importance for Nature Conservation) with the response being that biodiversity would be enhanced with greater planting and landscaping;
- Members again queried the actual loss of sport pitch and was it not a 70% reduction, to which it was replied that the loss was 36% due to the provision of the central area that could be used for informal and formal use including being bookable via the same booking system stated above
- Members queried the wording of policies relating to the protection of existing play spaces by resisting their loss unless there is an 'exceptional' circumstance – including where there are overriding planning merits.
- Members took the decision that there would be the following overriding planning merits/benefits from the redevelopment of the park:
- biodiversity enhancements;

Planning Sub Committee A - 9 May 2017

- new pathways to improve accessibility and connectivity;
- additional open/ recreational spaces;
- improved quality of sport pitch (able to be used as a 7 aside or as 2 no. 5 aside pitches);
- improving the opportunities for informal recreation such as joggers; and
- would provide a more diverse and multi-functioning park than the current park layout enables.

In the context of the limited amount of green space within the borough and the growing population, Members considered these benefits to outweigh harm caused by the reduction in size of the playspace (DM6.3) / 'free for use' sports pitch facility (DM6.4) . In this regard, the proposal was found on balance to be acceptable and to provide high quality replacement sports pitch facilities albeit 36% reduced in size but to also cater for a wider range of informal recreation users and that the proposal accorded with the overarching strategic policies of the Core Strategy CS16 and CS17 and Islington's Development Management Policies (2013)

RESOLVED:

That planning permission be granted subject to the conditions and informatives and Directors Service Level Agreement as set out in Appendix 2, and subject to referral to the Secretary of State and the signing of a service level agreement.

281

LAND TO CORNER OF CALEDONIAN ROAD AND STANMORE STREET, 229 CALEDONIAN ROAD, LONDON, N1 0NH (Item B5)

Installation of freestanding internally illuminated advertisement display panel (6 sheet) on the Land to corner of Caledonian Road and Stanmore Street, 229 Caledonian Road London N1 0NH

(Planning application number: P2015/4848/ADV)

In the discussion the following points were made:

- The Committee was advised that Islington Society had sent their objections to the Council granting applications for unnecessary street clutter of advertising signs.
- The Planning Officer advised that following the decision to defer the application to clarify the location of the sign, the site address had now been adjusted accordingly and the amended drawings now reflected the changes in the proposed signage's location.

RESOLVED:

That Advertisement Consent be granted subject to the conditions set out in Recommendation A.

282

THE ALBAN BUILDING, REAR OF 71-73 UPPER STREET, 1 ST ALBAN'S PLACE, LONDON, N1 0NX (Item B6)

Planning Sub Committee A - 9 May 2017

Demolition of existing single storey workshop and the construction of a three storey building comprising of office (Class B1) floorspace at the lower ground/basement level and part of ground and first floor levels, with the creation of 3 x 2 bedroom residential apartments over the remaining ground, first and second floor levels.

(Planning application number: P2016/2659/FUL)

In the discussion the following points were made:

- The Planning Officer reported that 2 additional responses had been received by the Council but that no new issues were raised in those that hadn't already been reported previously.
- The Planning Officer reported that the drawing showing the comparative section of the proposed scheme, together with the existing building and the previously refused scheme, shown on page 187 was incorrect (drawing no. 025). He advised that the profile of the previous scheme was shown incorrectly on that drawing. The correct drawing is no. 025/Rev.A.
- The Planning Officer also advised that the height of 6.3m on the previous scheme referred to the brick parapet, and did not include the roof structures (page 178, paragraph 6.6) that measured a further 1.8m above the parapet. The previous scheme therefore was a total height of 8.1m.
- The Planning Officer informed Committee that issues relating to the installation of louvres and obscure glazing on the first floor rear elevation could be resolved with a condition.
- In the discussion Members advised that the scheme appeared to represent an overdevelopment with an intense living environment, with many exhausts extending over the rear of the development site. The front of the site faces the alleyway (St Albans Place) where intense commercial activity (servicing and refuse collection) takes place hard up against the ground floor of the application site. This has a significant potential for noise (such as bottle collections and movement of refuse bins) and disturbance in extremely close proximity to the proposed residential units (in particular at ground floor level). These issues were raised by the Inspector in their decision notice (paragraph 13) and Members did not consider these concerns to be addressed by the proposal.
- It was also commented on by Members that a site visit to the site revealed that the site sits on a very tight alleyway that the area is intensely commercial and difficult in terms of achieving high quality residential.
- Concerns were raised that issues identified in the Inspector's letter relating to inadequate outlook from the proposed residential units and therefore the resulting poor quality living environment had not been sufficiently addressed and that reasons for refusal be delegated to officers and the Chair of the Committee.

Councillor Klute proposed a motion to agree reasons for refusal and was seconded by Councillor Nicholls.

RESOLVED:

Planning Sub Committee A - 9 May 2017

That planning permission be refused for the reasons set out above, the wording of which is to be delegated to Planning officers and the Chair of Planning sub Committee to agree.

REASON 1: The proposed development will provide a substandard level of accommodation to the detriment of the amenity for future occupiers, by reason of poor outlook to the principle living spaces, and to the rooms with more extensive outlook there is a significant amount of unsightly visual clutter associated with the mechanical services of the adjoining commercial premises, which would also impact negatively on the quality of the living environment, contrary to policies DM2.1 and DM3.4 of Islington's Development Management Policies (2013), and Policy CS12 of the Core Strategy (2011).

REASON 2: Access to the development would be via a heavily used commercial service alleyway which is also used for refuse storage, resulting in a substandard level of visual amenity and safety when accessing the property. There would also be unacceptable levels of noise at unsocial hours from both deliveries and collections of refuse and empty bottles, and also human activity around the adjoining emergency exits relating to a number of commercial premises accessing the alleyway, resulting in a very poor level of amenity for occupants within the properties with the potential to prejudice the operation of adjoining land. In this regard the proposals are considered to be contrary to policy CS12 of the Islington Core Strategy (2011) and policies DM2.1, DM3.4 and DM3.7 of Islington's Development Management Policies (2013).

The meeting ended at 10.17 pm

CHAIR

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0903/ADV
Application type	Advertisement Consent
Ward	Caledonian Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Area Local view from Archway Road Local view from Archway Bridge Within 100m of a SRN Road Rail Safeguarding Area - Channel Tunnel Rail Link Within 50m of Barnsbury Conservation Area National Rail Surface – Network Rail Owned Land
Licensing Implications	None
Site Address	Pavement adjacent to the Railway Bridge and 351 Caledonian Road, Islington, London, N1
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

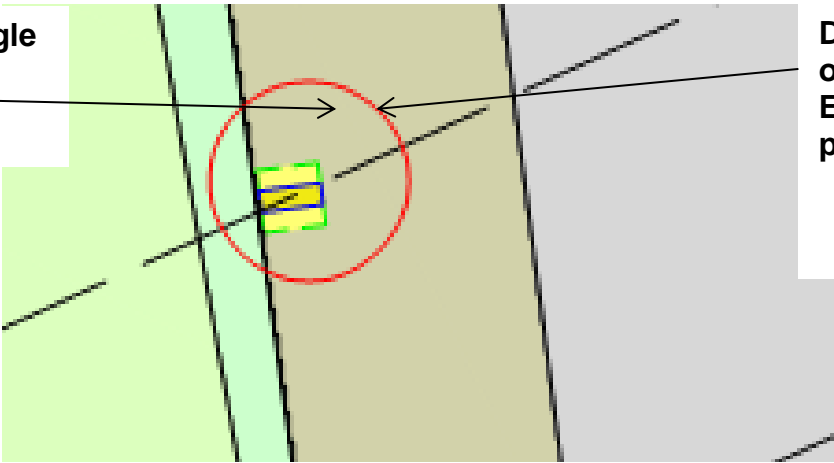
The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (circled in black)



Solid rectangle = Proposed link unit



Dashed outline = Existing phone box

3. PHOTOS OF SITE/STREET

Location of Site



Image 1: Street view of the site

Location of Site



Image 2: View of existing BT phone box looking south along Caledonian Road towards Lyon Street

Location of Site



Image 3: View of existing BT phone box looking north along Caledonian Road towards the bridge



Images 4 and 5: Existing Photograph of Site and Proposed CGI Views

4. SUMMARY

- 4.1 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but were subsequently withdrawn.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.

- 4.3 Should advertisement consent be granted, the Council would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside 351 Caledonian Road adjacent to the Caledonian Road Railway Bridge which currently contains an existing BT phone box. The phone box is located adjacent to a large brick boundary wall which abuts railway land. The properties surrounding the site are predominantly three storeys in height with commercial premises located at the ground floor and residential units in the upper floors. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is of mixed character.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone box on the site, as shown on the site plan and photographs above in Section 2. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 6: Design of the Proposed Link Unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Bus stop outside 376 Caledonian Road (100m from the site):

P2016/1727/ADV - Double-sided freestanding forum structure, featuring 2 x Digital 84" screen positioned back to back. The Digital screen is capable of displaying illuminated, static and dynamic content. Approved (09/08/2016)

ENFORCEMENT:

- 7.2 None.

PRE-APPLICATION ADVICE:

- 7.3 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Caledonian Road and Offord Road on 16 March 2017. A site notice was also displayed on 23 March 2017. The public consultation on the application ended on 13 April 2017.

8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report two letters of objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

- There is already a phone booth right next to it and construction work at 349 Caledonian Road (10.3-10.5, 10.24)
- The advertisement screens are going to be very bright and add light pollution to the street (10.29-10.30)
- The proposal will ultimately decrease the appearance and characteristic of Caledonian Road (10.14-10.25)
- Proposal may also attract vandalism and require costly maintenance that may not be quick (10.3-10.4)

External Consultees

8.3 **Transport for London (TfL):** No objection to this application subject to conditions.

8.4 **Metropolitan Police:** With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.

No objection with regards to the advertisements themselves.

Internal Consultees

8.5 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.

8.6 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.

8.7 **Communications and Change:** No comment.

8.8 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.

8.9 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.10 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.11 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.

- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS6F (Kings Cross) states that the area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside 351 Caledonian Road. The proposed link unit would replace a single BT telephone box in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is commercial in nature. Caledonian Road is a busy thoroughfare and whilst Barnsbury Conservation Area is located some 8 metres away from the site to the east, the application site is located immediately adjacent to Caledonian Bridge and the surrounding properties are considered to be of no particular cultural or historic merit. These buildings are 3 storeys high, with commercial units on the ground floor and residential dwellings above. There are no listed buildings within the vicinity. Consequently, the new displays would be seen in close association with nearby shops where a wide variety of signs are displayed, some of which are illuminated and in close association with the 4 storey modern building behind. Illuminated advertisements are considered to be an appropriate form of development in principle in this urban commercial landscape.
- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.

- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the Caledonian Bridge that sits behind the proposed advert and similar in height to the bus stop advertisements seen in various locations around the Borough. The backdrop of the proposed advertisements includes a 3 storey building and commercial premises and the advertisements would not appear excessive in size or out of scale with the surroundings in this context. In addition, the pavement is relatively wide in this location, and the proposal would be located against the back edge of the pavement, providing relief between the advertisement and the carriageway. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would not dominate the street scene nor appear unduly obtrusive in light of the existing illuminated bus stop adverts and shopfronts.
- 10.19 A condition is recommended that would require the removal of the existing phone box prior to commencement of the works and also the removal of an additional phone box approximately 415m to the north of the site opposite 416 Caledonian Road, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Caledonian Road street scene. Indeed, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts anti-social behaviour and the installation of a sleeker structure with a reduced footprint. The site plan below shows the location of the additional phone box to be removed:

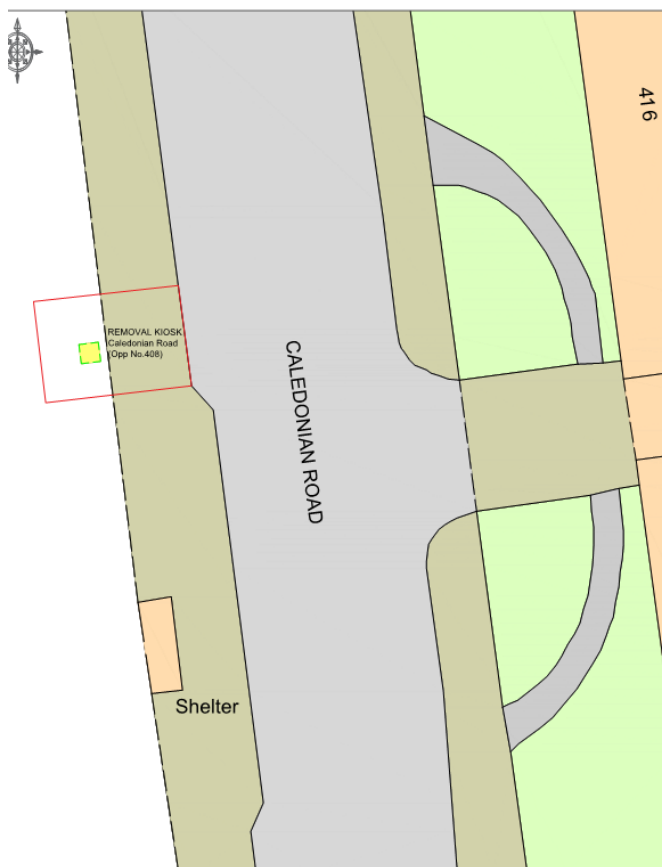


Image 7: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.20 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter. Some 100 metres to the south of the site, outside number 376 Caledonian Road, is a bus shelter that also has a digital on its southern elevation which is illuminated.
- 10.21 Whilst both the bus stop advertisement and the proposed advertisement would be visible when viewed from north of the site on Caledonian Road, there is a visual gap of 100m between the two. It is not considered for this reason that the proposal when viewed from the south would result in unacceptable cumulative advertisement clutter. When viewed from the north, the proposed bus stop advert would not be visible and the proposal would result in no undue visual clutter when viewed from this direction.
- 10.22 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given approval but which have not yet been implemented and the location of these was a material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within 100 metres of this application site
- 10.23 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at 400 Caledonian Road (which is currently undergoing redevelopment). The proposed advertisements would be 20m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.24 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.26 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.27 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.28 The proposed advertisements would be positioned on the footway immediately adjacent to the boundary wall so that, at their closest point, they would be no less than 3m from the vehicular carriageway. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.

- 10.29 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.30 It is the case that there is an internally illuminated display panel some 100m to the south of the site. Both advertisements would be visible to vehicles traveling north and south but they would not so close as to be confusing and interfering. The signage would also be obscured by the existing street trees and would not cause a hazard to road users.
- 10.31 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.32 The proposed signage would be located to the south of a bus stop. TfL have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.33 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 3m, in compliance with TfL standards.
- 10.34 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.35 Transport for London raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.37 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and

Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to:</p> <ul style="list-style-type: none">(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. <p>REASON:As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal of Advert
	<p>CONDITION: 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.</p> <p>REASON:As required by regulation 2(1) and Schedule 2 of the Town & Country</p>

	Planning (Control of Advertisements) (England) Regulations 2007.
6	Luminance
	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety.</p>

11	Removal of Existing Phone Boxes
	<p>CONDITION: The Development hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: 02076079017 are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 6 - Kings Cross
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 - Advertisements
Policy DM8.2 – Managing transport impacts

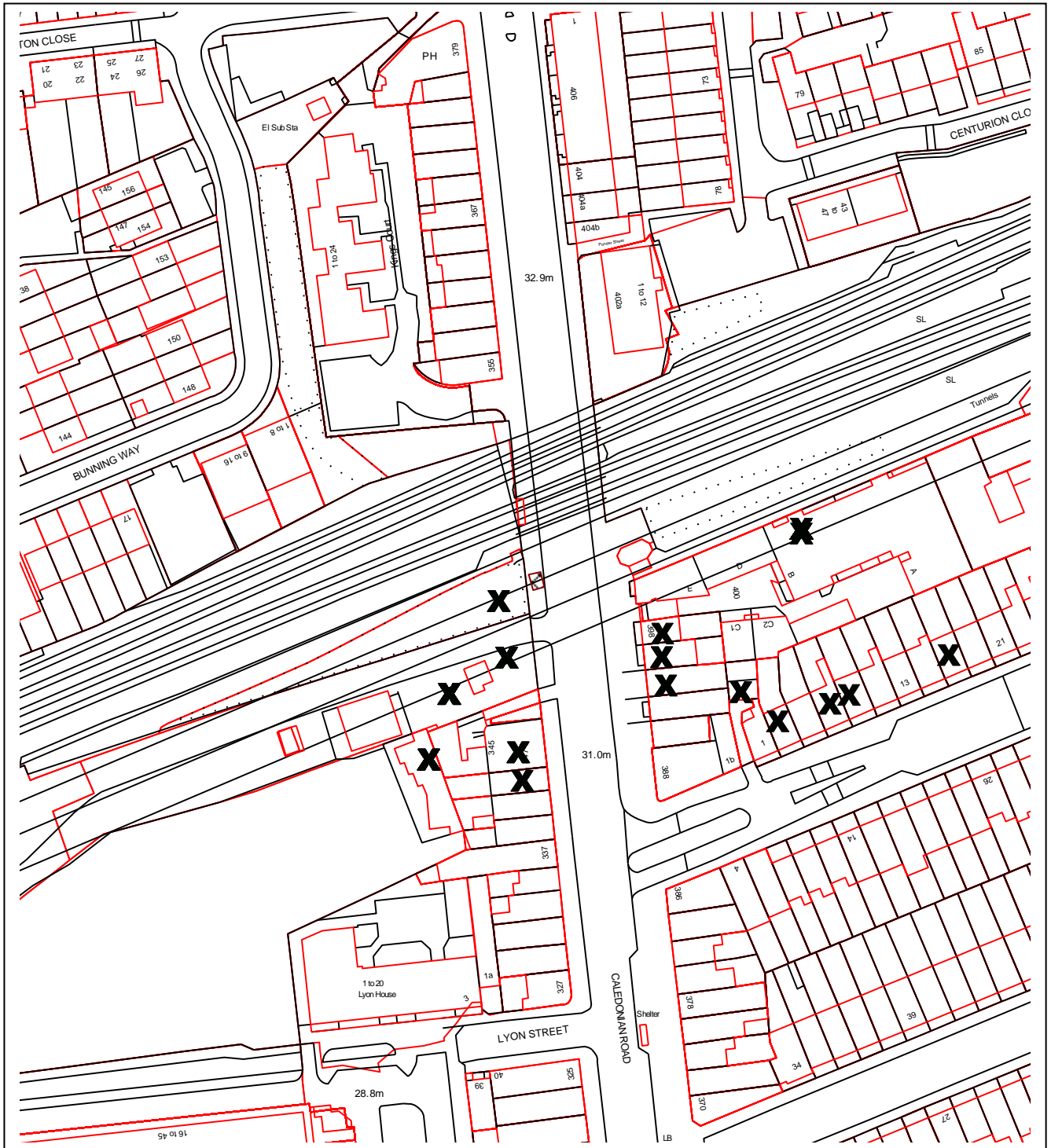
4. Designations

Kings Cross & Pentonville Road Core Strategy Key Area
Local view from Archway Road
Local view from Archway Bridge
Within 100m of a SRN Road
Rail Safeguarding Area - Channel Tunnel Rail Link
Within 50m of Barnsbury Conservation Area
National Rail Surface – Network Rail Owned Land

5. SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0697/ADV
Application type	Advertisement Consent
Ward	Bunhill Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone Local Cycle Route Major Cycle Route Finsbury Local Plan Area – Bunhill & Clerkenwell Within 50m of St Luke's Conservation Area
Licensing Implications	None
Site Address	Pavement outside 120 Central Street, Islington, London, EC1V
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

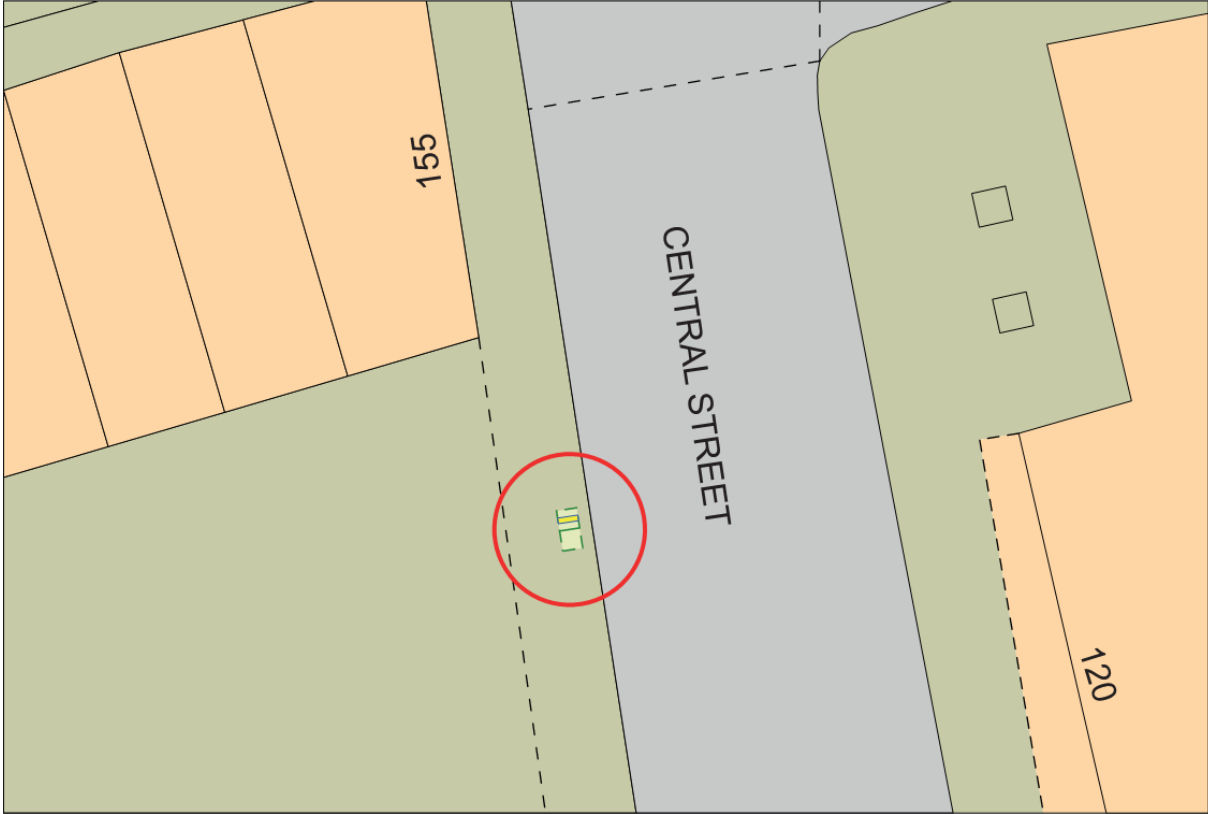
Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

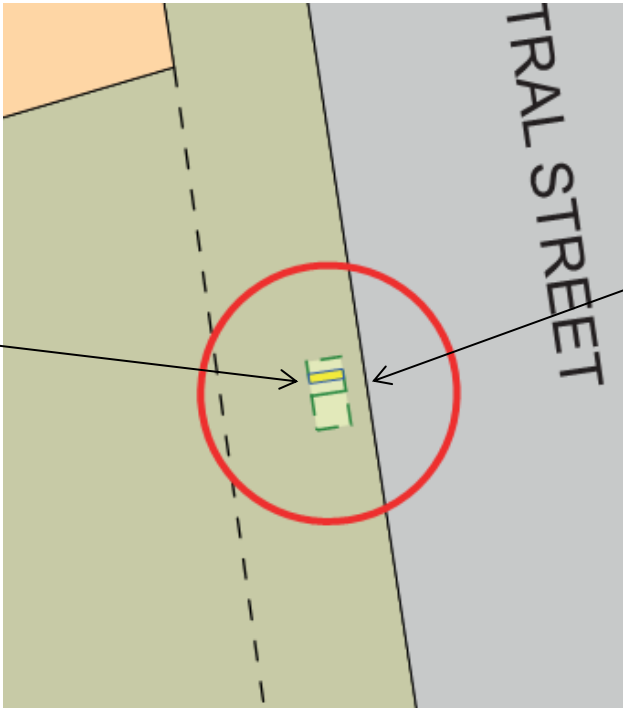
2. SITE LOCATION (circled in black)



Ordinance Survey © Crown Copyright 2016. All rights reserved. Licence number 10002162. Printed Scale - 1:250

**Solid rectangle
= Proposed
Link Unit**

**Dashed outline =
existing phone box**



3. PHOTOS OF SITE/STREET

Location of Site



Image 1: Street view of the site

Location of Site



Image 2: View of existing BT phone boxes looking south along Central Street towards Lever Street

Location of Site



Image 3: View of existing BT phone box looking north along Central Street towards Dingley Road



Images 4 and 5: Existing Photograph of Site and Proposed CGI Views

4. SUMMARY

- 4.1 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone kiosks known as 'link units'. 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but were subsequently withdrawn.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Should advertisement consent be granted, it would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement opposite 120 Central Street, outside the Kings Square Estate which currently contains two existing BT phone boxes. The phone box is located on a wide stretch of pavement which is separated from the main square by low level bollards. The properties immediately surrounding the site are predominantly two storeys in height and used for a mix of commercial and residential purposes. There are also a number of taller buildings in the immediate locality, including the four storey Thistle Hotel directly opposite the site. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is of mixed character.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing double phone box on the site, as shown on the site plan and photographs in Section 2 above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 6: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the kiosk at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None.

ENFORCEMENT:

- 7.2 None.

PRE-APPLICATION ADVICE:

- 7.3 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Central Street on 3 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report no letters of objections had been received from the public with regard to the application.

External Consultees

- 8.3 **Metropolitan Police:** With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.

No objection with regards to the advertisements themselves.

Internal Consultees

- 8.4 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.
- 8.5 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.
- 8.6 **Communications and Change:** No comment.
- 8.7 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.8 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.
- 8.9 **Lighting and Streetworks (Highways):** As the location of existing phone boxes are being used, no objections are raised from an electrical supply point of view.
- 8.10 **Maintenance (Highways):** Concern that a number of companies of choosing similar locations for advertisements and that this would detract from the street scape.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.12 **Better Archway Forum:** **The advertisements are inappropriately large and unnecessary** to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.

- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

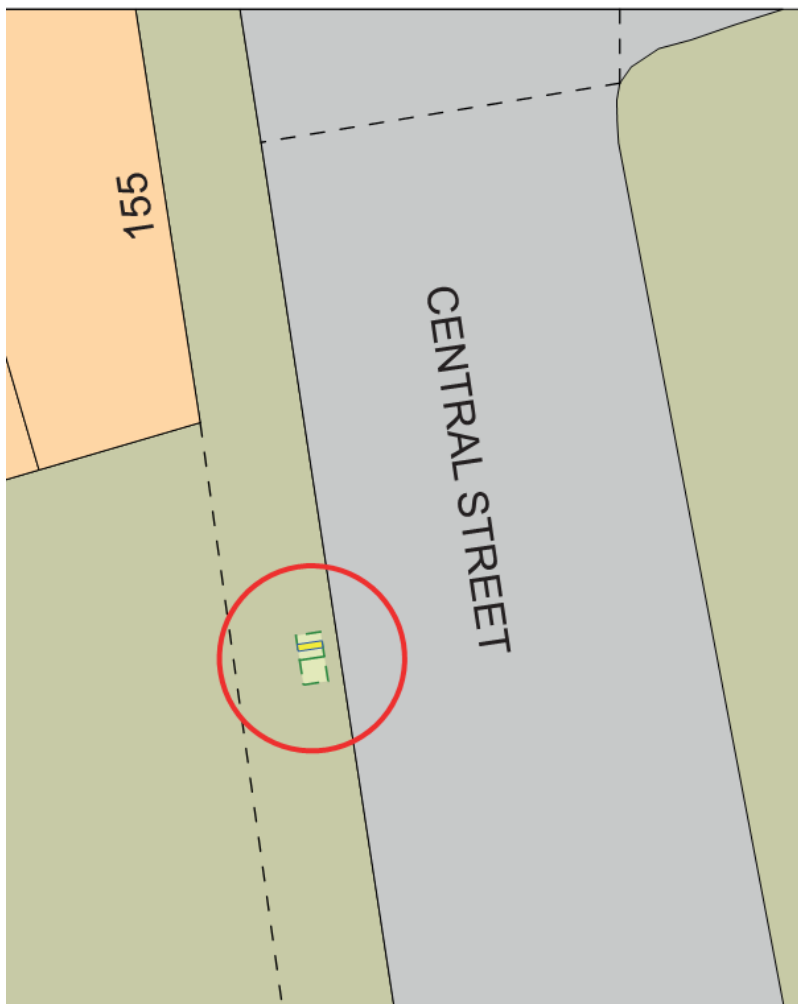
(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS2 (Bunhill & Clerkenwell) states that the scale of development should reflect the character of the area. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside the Kings Square Estate, opposite 120 Central Street. The proposed link unit would replace two BT telephone boxes in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is of mixed character. Central Street is not considered to be a main thoroughfare as it runs parallel to Goswell Road. The buildings on the north side of the Kings Square Estate closest to the application site date from the 1960s/70s and are of no particular cultural or historic merit. These buildings are 2 storeys high and used for commercial purposes. 120 Central Street is a modern 4 storey building located on the east side of Central Street and is used as a hotel. The application site is seen within the context of this building when viewed looking south towards Lever Street. There are no listed buildings within the vicinity. Consequently, the new displays would be seen in close association with nearby shops in the Kings Square Estate where a wide variety of signs are displayed, some of which are illuminated. Illuminated advertisements are considered to be an appropriate form of development in principle in this urban commercial landscape.
- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.
- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the shopfront fascia signs that sit adjacent to the site and similar in height

to the bus stop advertisements seen in various locations around the Borough. In addition, the pavement is exceptionally wide in this location as it is linked with the public square, providing relief between the advertisement and the carriageway. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would as such neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.

- 10.19 It is important to note here that a condition on the consent would require the removal of the existing phone boxes prior to commencement of the works. There would as such be a net loss in the amount of street furniture or clutter in the vicinity. Indeed, the development would improve the appearance of the street scene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts unsocial behaviour and the replacement of a sleeker structure with a smaller footprint. The site plan below shows the location of the additions two phone boxes to be removed:



enx number 10022452, Plotted Scale - 1:200

Image 7: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.20 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter. Whilst there are no freestanding adverts in this location, given the site context in relation to the larger

square to the west and the fact the site is located opposite the 4 storey Thistle Hotel with the illuminated signage on the side of the building facing north onto Central Street, it is not considered that the proposal would result in unacceptable levels of visual clutter in this location.

- 10.21 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given approval but which have not yet been implemented and the location of these was a material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within the vicinity of this application site
- 10.22 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at Ritson House. The proposed advertisements would be 5.7m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.23 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.25 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.26 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.27 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 0.6m from the vehicular carriageway. This is the same distance as the existing phone boxes. The proposed kiosk would be located 2.6 metres from the existing low level bollards which separate the pavement from the public square. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.28 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.

- 10.29 There are no internally illuminated advertisement signs in the immediate locality that could cause confusion with the proposed sign and it therefore not considered to cause a hazard to road users.
- 10.30 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.31 The proposed signage would be located adjacent to a bank of trees and would be set away from the main road. Highways have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.32 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with Highways standards.
- 10.33 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.34 Highways raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.35 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to</p> <ul style="list-style-type: none">(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. <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>

6	Luminance
	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety</p>
11	Removal of Existing Phone Boxes
	<p>CONDITION: The advertisement hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: 0064SP are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 2 – Bunhill & Clerkenwell
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 - Advertisements
Policy DM8.2 – Managing transport impacts

4. Designations

Bunhill & Clerkenwell Core Strategy Key Area
Central Activities Zone
Local Cycle Route
Major Cycle Route
Finsbury Local Plan Area – Bunhill & Clerkenwell
Within 50m of St Luke's Conservation Area

5. SPD/SPGS

Urban Design Guide 2017
Streetbook 2012
Finsbury Local Plan 2013

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0698/ADV
Application type	Advertisement Consent
Ward	Finsbury Park Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Seven Sisters Road Local Shopping Area
Licensing Implications	None
Site Address	Pavement opposite 152A Seven Sisters Road, London, N7
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

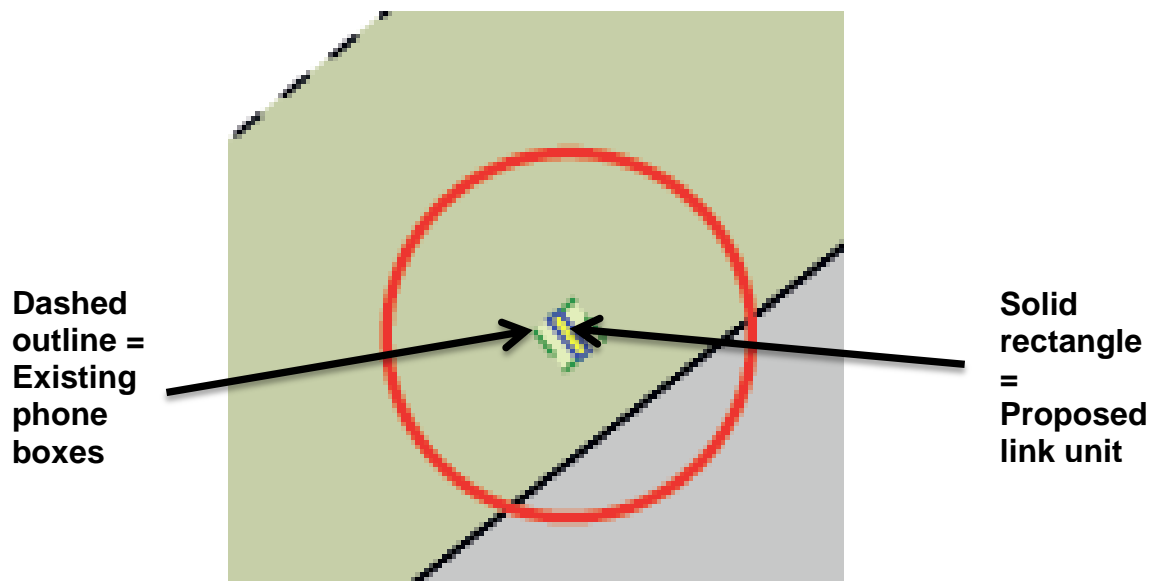
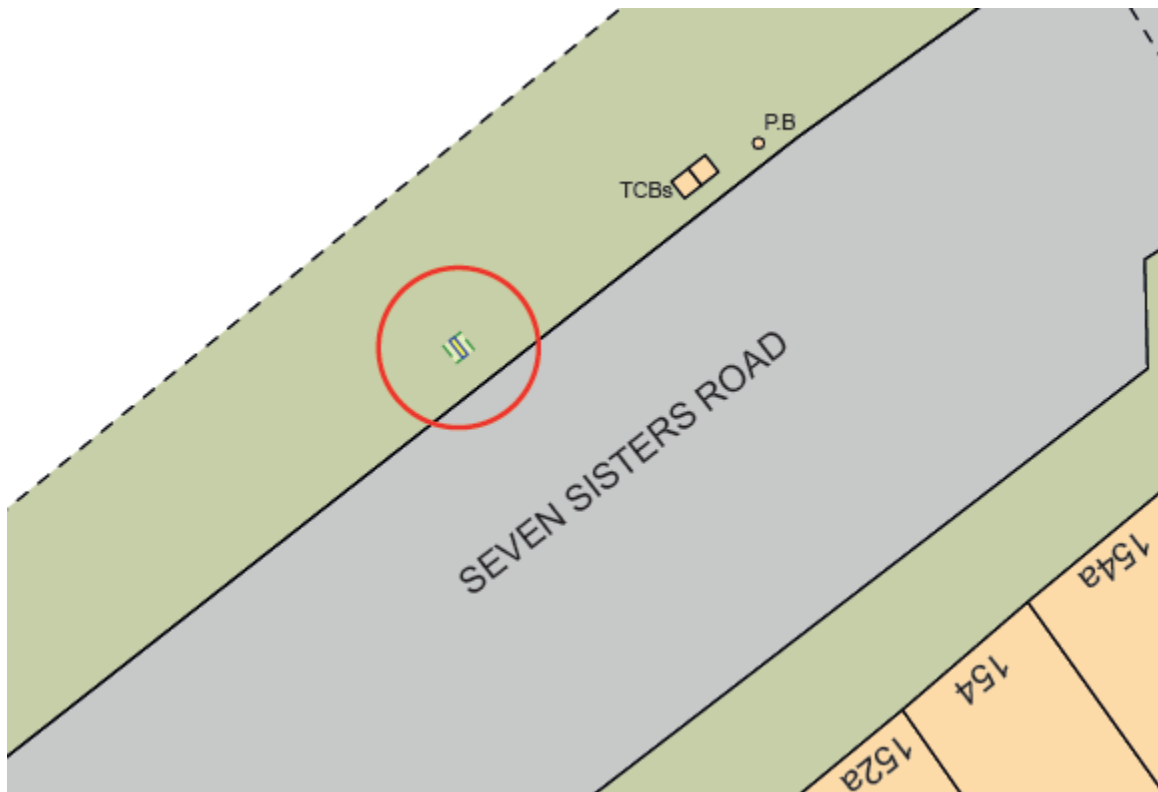
Case Officer	Sally Fraser
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (site circled in black)



3. PHOTOS OF SITE/STREET

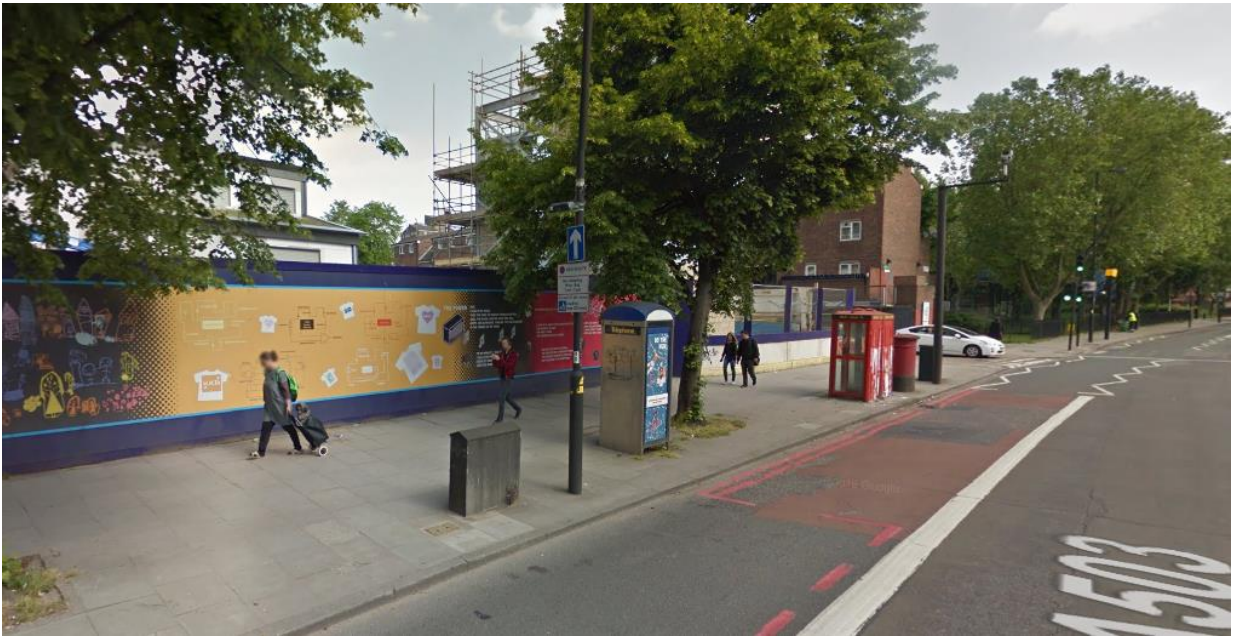


Image 1: View of the site looking east along Seven Sisters Road



Image 2: View of the site looking west along Seven Sisters Road

'New World'
phone
boxes (Not
BT)



Images 4 and 5: Existing Photographs of Site and Proposed CGI Views

4. SUMMARY

- 4.1 This application forms part of a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. A total of 63 advertisement consent applications for these link units have been submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but have subsequently been withdrawn by the applicant.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. These applications are brought to committee at Councillor Klute's request.
- 4.3 Each application proposes the removal of at least two existing BT phone boxes, which would be secured via a condition on the consent.
- 4.4 This application requests advertisement consent for the 2no. advertisement screens attached to a new link unit which would be located on the site of an existing BT telephone box opposite 152 Seven Sisters Road. The proposal includes the removal of the existing phone box on the site and additionally the removal of a BT phone box 100m to the east of the site on the corner of Seven Sisters Road and Sonderburg Road, making a total of two phone boxes to be removed in total.
- 4.5 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.6 It is considered that, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.7 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.

4.8 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

5.1 The application site is the pavement on the northern side of Seven Sisters Road, opposite 152 Seven Sisters Road. The site is currently occupied by 1no. BT phone box. The site is located within the Seven Sisters Road Local Shopping Area and the immediate vicinity is largely commercial in character. The land to the north of the site is currently being developed and will comprise, when completed, of a 5 storey mixed residential/ commercial building fronting Seven Sisters Road. The south side of Seven Sisters Road comprises of 4 storey terraced buildings with retail units at ground floor and residential dwellings above.

5.2 The pavement in this location is particularly wide and there are two street trees within the vicinity of the site, approximately 2m to the east and west of the existing phone box.

5.3 The site is not located within a conservation area and there are no listed buildings in the immediate vicinity.

6. PROPOSAL (in Detail)

6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, attached to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.

6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone box on the site, as shown on the site plan and photographs above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 5: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located on either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.
- 6.4 The removal of the existing phone box would be secured by a condition on the consent, as would the removal of an additional phone box on the corner of Seven Sisters Road and Sonderburg Road.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

In the immediate vicinity of the site

- 7.1 P2013/1262/FUL (107 - 129 Seven Sisters Road): Redevelopment of the site to provide a National Grid electricity substation and associated infrastructure, and 44 residential units and 4 commercial units (flexible permission sought for planning use classes A1 retail, A2 financial and professional services, B1 office, D1 non-residential institutions and A4 (1 unit only) drinking establishments) within a separate (maximum of) five storey building. Also proposed are alterations to the access arrangements into the site and associated servicing, parking and landscaping works together with the erection of a perimeter boundary around parts of the site and other associated works. Approved 22/11/2013. Currently under construction.
- 7.2 P2016/3765/ADV (New World phone kiosks on the northern side of Seven Sisters Road- 5m from the site). 1no. internally illuminated advertisement display panel on a proposed new phone kiosk- to replacement of the 2 existing pay phones). Approved 22/11/2016.

Within 100m of the site

- 7.3 P2017/0701/ADV (Pavement outside 103 Seven Sisters Road): installation of a free standing internet/ wifi/ telephone kiosk known as a 'link unit', with internally illuminated advertisement screens to two sides. Withdrawn 2017.
- 7.4 P101254 (Various Lampposts along Seven Sisters Road (between Hercules Place & Thane Villas): Display of banners on lampposts along Seven Sisters Road, between Hercules Place and Thane Villas. Approved 10/08/2010.

ENFORCEMENT:

- 7.5 None.

PRE-APPLICATION ADVICE:

- 7.6 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Seven Sisters Road on 6 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report, no letter of objection has been received from the public with regard to the application.

External Consultees

- 8.3 **Transport for London:** No objection on Public Safety grounds, subject to appropriate conditions.
- 8.4 **Metropolitan Police:** With regards to the kiosk itself- The unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes the element of a shelter – which leads to anti-social uses such as rough sleeping.
- 8.5 No objection with regards to the advertisements themselves.

Internal Consultees

- 8.6 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.
- 8.7 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact of the servicing on the safe and efficient operation of the transport infrastructure.
- 8.8 **Communications and Change:** No comment.

- 8.9 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.10 Officers note: Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.12 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity

- Highways Safety
- Other matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent.

Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS8 (Enhancing Islington's Character) states that the successful urban fabric of streets and squares, which are a key asset of the borough, will be maintained and poorer quality public realm will be improved. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development Management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the eastern and western elevations of a new link unit which would be sited on the northern pavement opposite 152A Seven Sisters Road. The proposed link unit would replace a single BT telephone box in the same location. The existing phone box would be removed prior to the installation of the new link unit.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 Seven Sisters Road is a busy thoroughfare, linking Holloway Road with Finsbury Park Station. The carriageway is relatively wide at the point of the application site, with a bus lane on the westbound carriageway. The area surrounding the site is largely commercial in character. The southern side of the road comprises of shopfronts at ground floor with residential dwelling at upper floors and on the northern side is a development site which will, once completed, consist of a 5 storey mixed use development. None of the built form within the immediate vicinity of the site has any specific cultural or historic merit and there are no listed buildings adjoining the site.
- 10.17 Consequently, the new digital displays would be seen in the context of the 4 and 5 storey built form surrounding the site and the shopfronts on the southern side of Seven Sisters Road, which exhibit a wide variety of illuminated and non-illuminated signage. The addition of internally illuminated advertisements in this location, given the scale of

development and given the urban commercial character of the surroundings, is considered to be an appropriate in principle.

- 10.18 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, nor would they be out of scale in this commercial location. The following paragraphs consider the application on these grounds.
- 10.19 The proposed advertisements would be lower in height than the ground floor fascia signs on the southern side of Seven Sisters Road. In addition, the pavement is relatively wide in this location. The proposed advertisements would be set back from the carriageway by 1.2m and set back from the built form to the north of the pavement by 4.1m, which would reduce their visual prominence when viewed from both the carriageway and footway. It is also relevant that the advertisements would be viewed in context of two large mature trees to the east and west of the existing phone box. These trees would act as visual screening in summer months and the advertisements would appear more visually discrete as a result.
- 10.20 Given the height of surrounding buildings, the width of the pavement and the commercial nature of the area, it is considered that the advertisements would not appear excessive in height or size, nor would they appear out of scale with their surroundings. They would neither dominate the street scene nor appear unduly obtrusive, in light of existing street shopfront signage.
- 10.21 A condition is recommended that would require the removal of the existing phone box on the site prior to commencement of the works and also the removal of an additional phone box approximately 100m to the east of the site on the corner of Seven Sisters Road and Sonderburg Road, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Holloway Road street scene. The site plan below shows the location of the additional phone box to be removed:

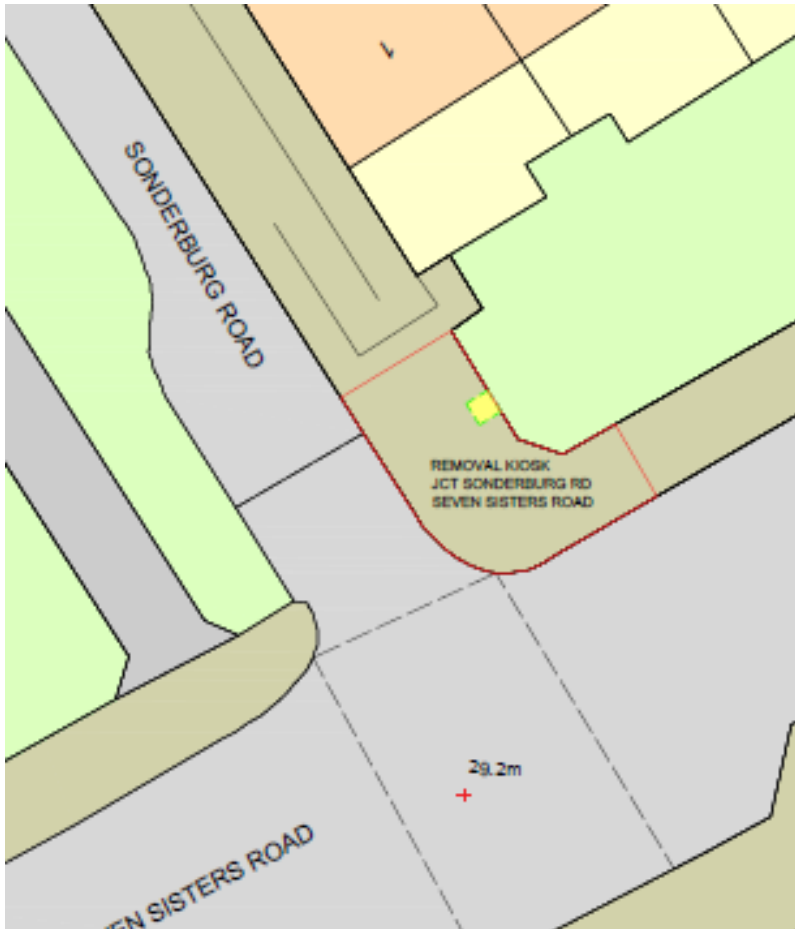


Image 6: Site plan showing the location of the additional phone box which would be removed prior to commencement of the works.

- 10.22 As such, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of two unused, unsightly phone boxes which attract anti-social behaviour and replace them with a single structure with a smaller footprint than the traditional phone box.
- 10.23 It is also important to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter.
- 10.24 In that regard, there are 'New World' two telephone boxes some 5m to the east of the site which contain non illuminated advertisements on their southern elevation, directly facing the road. Advertisement consent was granted in 2016 for the erection of an internally illuminated display panel on a 'New World' payphone, which would replace the existing two telephone boxes. This permission has not been implemented but remains a consideration in the assessment of this application. The proposed 'New World' advertisement panel would face west and would therefore only be visible to users of the footway and carriageway traveling in an easterly direction. There is a mature tree between the proposed 'New World' advertisement and the advertisement proposed here, which would provide visual screening. It is also relevant that there would be a gap of 5m between the two adverts and therefore whilst both adverts would be visible in the same 'view' from the highway, the appearance of both would not be visibly harmful. There are no other pavement advertisements in the vicinity and proposal would not, as such, introduce an illuminated advertisement in a location where there is already a conglomeration of pavement signage. The proposal would not result in any undue cumulative or undue visual pavement advertisement clutter.

- 10.25 To avoid undue light spill, the intensity of the illumination of the advertisements, as secured by condition, would be 300 cdm² between dusk and dawn and 2500cdm² during the day, in line with TfL guidance. The nearest residential occupiers reside on the upper floors of the buildings on the southern side of Seven Sisters Road and in the residential units yet to be built immediately to the north of the site. The proposed advertisements would be a minimum of 5m from these flats and would not directly face the windows. It is as such considered that, with appropriate conditions restricting luminance, the proposal would not cause any undue light pollution to the adjacent occupiers.
- 10.26 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.27 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.28 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.29 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 1.2m from the vehicular carriageway, as per the existing telephone box. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.30 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.31 There is an internally illuminated advertisement, some 5m east of the site, which has been approved but not implemented. TfL consider that the distance of 5m, and the presence of the mature tree between the two, is sufficient to ensure that the advertisements, should both permissions be implemented, would not cause confusion or interference to road users.
- 10.32 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In

addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.

- 10.33 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box it would replace and would as such reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with TfL standards.
- 10.34 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of advertisement applications within the immediate vicinity of the site, which have been approved but not yet implemented, have formed an integral part of the assessment of this application and this issue is addressed in para 10.31 above. It should also be noted that, for completeness, section 7 of this report cites every application for pavement advertisements which has been submitted to the council within the past 20 years and notes whether the application has been approved or refused.
- 10.35 Transport for London have raised no objections to the proposed advertisements on Highways Safety grounds, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.36 It should be noted that the councils Environmental Development and Projects team have raised concerns with regards to the maintenance arrangements in relation to the link unit structures and specifically how the maintenance arrangements may impact on the safe and proper operation of the transport infrastructure. Whilst these concerns are noted, issues surrounding the maintenance of the units themselves are outside of the control of the planning authority in relation to this advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, that the carriageway and footway must be kept clear.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1- RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Maintenance (visual amenity)
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007</p>
3	Maintenance (safe condition)
	<p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Removal
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Luminance
	<p>The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
6	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p>

	REASON: In the interests of visual amenity and highway safety.
7	Visual Effects
	CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second. REASON: In the interests of visual amenity and highway safety.
8	Special Effects
	CONDITION: Each advertisement shall be static. There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. REASON: In the interests of visual amenity and highway safety.
9	Installation and Maintenance
	CONDITION: The footway and carriageway on the TLRN and 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: In the interests of highway safety
10	Removal of Existing Phone Boxes
	CONDITION: The Development hereby permitted shall not be commenced until the two existing BT phone box shown on Plan No: 02072634810 dated 13 th June 2017 is removed in their entirety. REASON: In the interests of visual amenity and highway safety.

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.5 Public realm

B) Islington Core Strategy 2011

Policy CS 8 – Enhancing Islington's character
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 – Advertisements
Policy DM8.2 – Managing transport impacts

4 Designations

Seven Sisters Road Local Shopping Area
Within 100m of a SRN Road

5 SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

Islington SE GIS Print Template



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P2017/0698/ADV

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0949/ADV
Application type	Advertisement Consent
Ward	Finsbury Park Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Finsbury Park Town Centre Finsbury Park Key Area Finsbury Park Primary Retail Frontage
Licensing Implications	None
Site Address	Pavement outside 117 - 119 Fonthill Road, London, N4
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

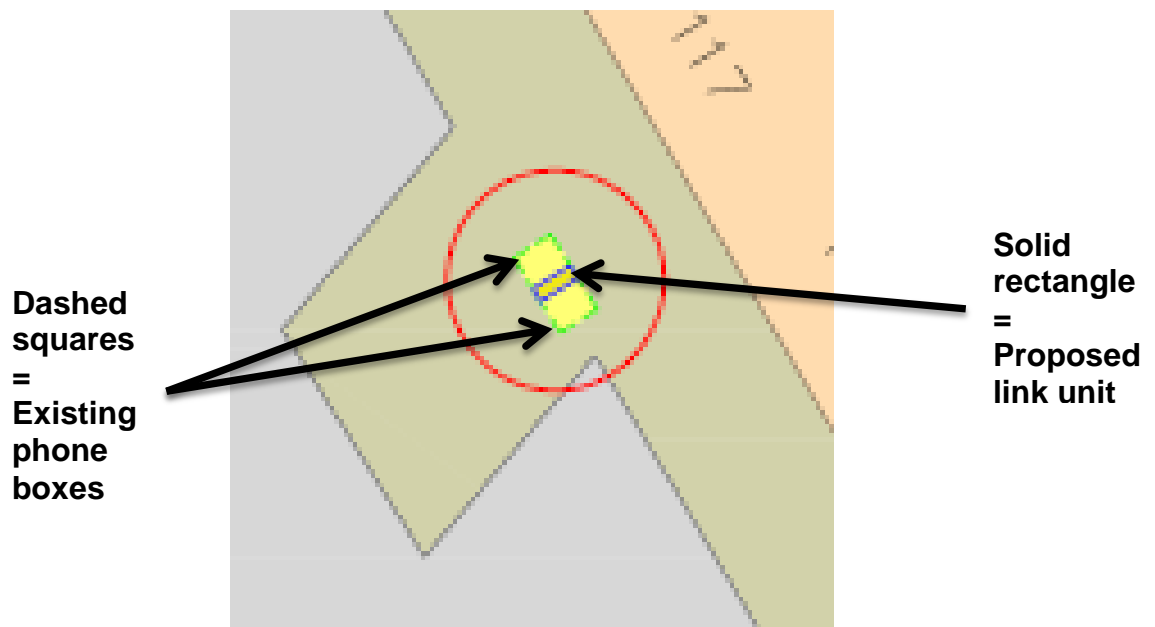
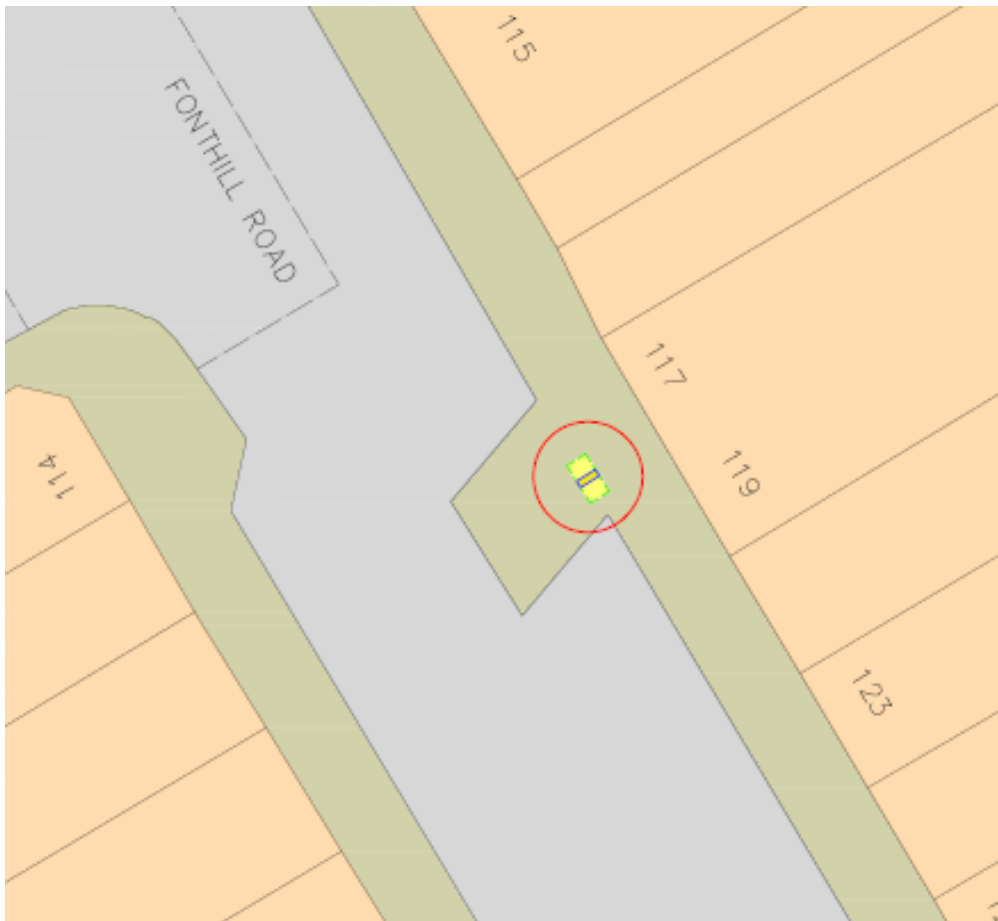
Case Officer	Sally Fraser
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (site circled in black)



3. PHOTOS OF SITE/STREET



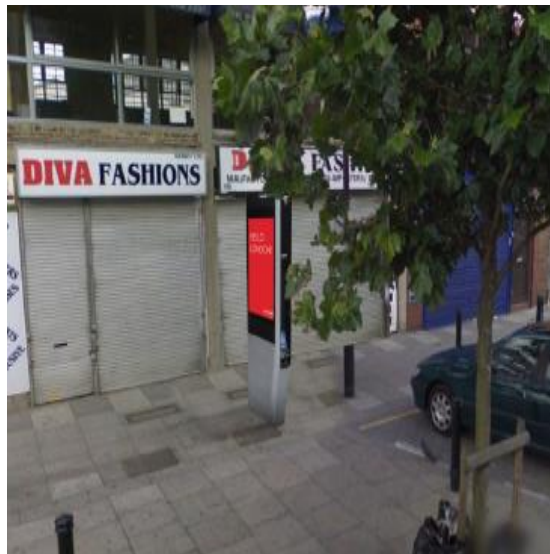
Image 1: View of the site looking south along Fonhill Road



Image 2: View of the site looking north along Fonhill Road



Image 3: View of the site and adjacent street furniture



Images 4 and 5: Existing Photograph of Site and Proposed CGI Views

4. SUMMARY

4.1 This application forms part of a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. A total of 63 advertisement consent applications for these link units have been submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but have subsequently been withdrawn by the applicant.

- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. These applications are brought to committee at Councillor Klute's request.
- 4.3 Each application proposes the removal of at least two existing BT phone boxes, which would be secured via a condition on the consent.
- 4.4 This application requests advertisement consent for the 2no. advertisement screens attached to a new link unit which would be located on the site of 2no. existing BT telephone boxes outside 117- 119 Fonthill Road. The removal of the existing phone boxes would be secured by a condition on the consent, as would the removal of an additional phone box on the corner of Fonthill Road and Moray Road, making a total of three phone boxes to be removed in total.
- 4.5 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.6 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.7 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.8 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.
- 4.4 For the above reasons the recommendation to committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside 117- 119 Fonthill Road. The site is located within the Finsbury Park Primary Shopping Area and the immediate area is largely commercial in nature. Building heights vary between 3 and 4 storeys, with retail shopfronts at ground floor and a mixture of residential dwellings and offices at upper floors. Cycle racks adjoin the site, which adds to the commercial character of the area.
- 5.2 The pavement in this location is particularly wide, with inset parking spaces directly to the north and south of the site. A street tree lies on the pavement between the existing phone boxes and the carriageway.
- 5.3 The site is not located within a conservation area and there are no listed buildings in the immediate vicinity.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, attached to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone boxes on the site, as shown on the site plan above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit structure would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 5: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.
- 6.4 The removal of the existing 2no. phone boxes would be secured by a condition on the consent, as would the removal of an additional phone box on the corner of Fonthill Road and Moray Road.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

Within the immediate vicinity

- 7.1 940145 (Outside 117- 119 Fonthill Road): Prior notification for the erection of 2 payphone kiosks. Approved 18/05/1994

Within 100m of the site

- 7.2 None

ENFORCEMENT:

- 7.3 None.

PRE-APPLICATION ADVICE:

- 7.4 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Holloway Road on 6 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.

- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report, no letter of objection has been received from the public with regard to the application.

External Consultees

- 8.3 **Metropolitan Police:** With regards to the structure itself- The unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes the element of a shelter – which leads to anti-social uses such as rough sleeping.

- 8.4 No objection with regards to the advertisements themselves.

Internal Consultees

- 8.5 **Lighting and Streetworks (Highways):** As the location of existing phone boxes are being used, no objections are raised from an electrical supply point of view.

- 8.6 **Maintenance (Highways):** Concern that a number of companies of choosing similar locations for advertisements and that this would detract from the street scape.

- 8.7 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.

- 8.8 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing for the link units and the impact of servicing on the safe and efficient operation of the transport infrastructure.

- 8.9 **Communications and Change:** No comment.
- 8.10 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.11 Officers note: Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.12 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the link units are overstated
- 8.13 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the link units. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation

- Amenity
- Highways Safety
- Other matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all

advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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 traYc 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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS2 (Finsbury Park) states that the historic character of the area will be protected and enhanced, with high quality design encouraged so that it respects the local context of Finsbury Park and its surroundings. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development Management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside 117-119 Fonthill Road. The proposed link unit would replace 2no. BT telephone boxes in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The southern part of Fonthill Road, which includes the application site, falls within the Finsbury Park Primary Retail frontage and is commercial in nature. Whilst Fonthill Road doesn't have the scale of development characteristic of the more arterial roads in the Borough, it does have a unique fashion retail function and comprises of shopfronts with illuminated and non illuminated signage at ground floor and a mixture of offices and residential units at upper floors. Building heights range between 3 and 5 storeys. Finsbury park station is located some 100m to the south of the site, which is the busiest transport interchange in London outside Zone 1. None of the built form within the immediate vicinity of the site has any specific cultural or historic merit and there are no listed buildings adjoining the site.
- 10.17 Consequently, the new digital displays would be seen in the context of the 3 and 4 storey built form surrounding the site and the shopfronts, which exhibit a wide variety of

illuminated and non-illuminated signage. The addition of internally illuminated advertisements in this location, given the scale of development and given the urban commercial character of the surroundings, is appropriate in principle.

- 10.18 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, nor would they be out of scale in this commercial location. The following paragraphs consider the application on these grounds.
- 10.19 The proposed advertisements would be lower in height than the ground floor fascia signs on the eastern and western sides of Fonthill Road. In addition, the pavement is relatively wide in this location and the advertisements would be set back from the carriageway by 5.5m, which would reduce their visual prominence when viewed from both the carriageway and footway. It is also relevant that the advertisements would be viewed in context of a large mature tree which sits on the footway in front of the existing phone box. The advertisements would appear more visually discrete when viewed in the context of this mature tree.
- 10.20 Given the height of surrounding buildings, the width of the pavement and the commercial nature of the area, it is considered that the advertisements would not appear excessive in height or size, nor would they appear out of scale with their surroundings. They would neither dominate the street scene nor appear unduly obtrusive, in light of existing street shopfront signage.
- 10.21 A condition is recommended that would require the removal of the existing 2no. phone boxes on the site prior to commencement of the works and also the removal of an additional phone box on the corner of Fonthill Road and Moray Road, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Fonthill Road street scene. The site plan below shows the location of the additional phone boxes to be removed:

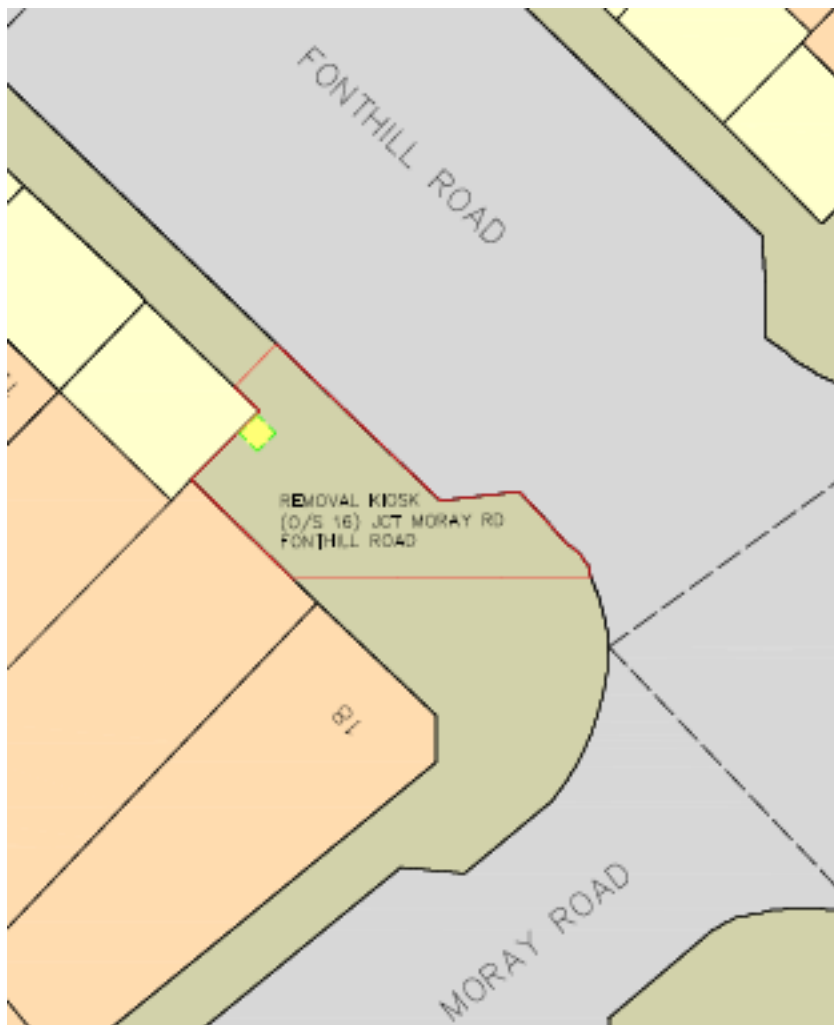


Image 6: Site plan showing the location of the additional phone box which would be removed prior to commencement of the works.

- 10.22 As such, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of three unused, unsightly phone boxes which attract anti-social behaviour and replace them with a single structure with a smaller footprint than the traditional phone box.
- 10.23 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter.
- 10.24 In that regard, there are no other pavement advertisements, either illuminated or non-illuminated, within the immediate vicinity of the site. It is also the case that there have been no applications for advertisement consent for new pavement advertisements which have been approved but not implemented, within the vicinity of the site. It is therefore the case that the proposal would not introduce an illuminated advertisement in a location where there is already a conglomeration of pavement signage. The proposal would not result in any undue cumulative or undue visual pavement advertisement clutter.
- 10.25 To avoid undue light spill, the intensity of the illumination of the advertisements, as secured by condition, would be 300 cdm² between dusk and dawn and 2500cdm² during the day, in line with TfL guidance. The nearest residential occupiers reside on the upper floors of the buildings on the eastern side of Fonthill Road. The proposed

advertisements would be a minimum of 5m from these flats and would not directly face the windows, being at right angles to them. It is as such considered that, with appropriate conditions restricting luminance, the proposal would not cause any undue light pollution to the adjacent occupiers.

- 10.26 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.27 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.28 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.29 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 5.5m from the vehicular carriageway, as per the existing telephone boxes. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.30 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.31 There are no other pavement advertisements within the immediate vicinity and no advertisements that have been approved but not implemented within the immediate vicinity. The proposal would as such not be visible in the same 'view' from the carriageway as any other advertisements and would not lead to confusion or interference to road users.
- 10.32 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.33 The proposed link unit would be sited in the same location as the existing telephone boxes and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone boxes it would

replace and would as such reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with TfL standards.

- 10.34 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. As addressed in para 10.31 above, there are no advertisements which have been granted consent and not implemented within the immediate vicinity of the site. It should also be noted that, for completeness, section 7 of this report cites every application for pavement advertisements which has been submitted to the council within the past 20 years and notes whether the application has been approved or refused.
- 10.35 The councils Highways Department have raised no objections to the proposed advertisements on Highways Safety grounds, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.36 It should be noted that the councils Environmental Development and Projects team have raised concerns with regards to the maintenance arrangements in relation to the link unit structures and specifically how the maintenance arrangements may impact on the safe and proper operation of the transport infrastructure. Whilst these concerns are noted, issues surrounding the maintenance of the units themselves are outside of the control of the planning authority in relation to this advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, that the carriageway and footway must be kept clear.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1- RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Maintenance (visual amenity)
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007</p>
3	Maintenance (safe condition)
	<p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Removal
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Luminance
	<p>The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
6	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p>

	REASON: In the interests of visual amenity and highway safety.
7	Visual Effects
	CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second. REASON: In the interests of visual amenity and highway safety.
8	Special Effects
	CONDITION: Each advertisement shall be static. There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. REASON: In the interests of visual amenity and highway safety.
9	Installation and Maintenance
	CONDITION: The footway and carriageway on the TLRN and 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: In the interests of highway safety
10	Removal of Existing Phone Boxes
	CONDITION: The Development hereby permitted shall not be commenced until the existing 3no. BT phone boxes shown on Plan No: 02072811027 dated 13 th June 2017 is removed in their entirety. REASON: In the interests of visual amenity and highway safety.

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.5 Public realm

B) Islington Core Strategy 2011

Policy CS 2 – Finsbury Park
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 – Advertisements
Policy DM8.2 – Managing transport impacts

4 Designations

Finsbury Park Town Centre
Finsbury Park Primary Shopping Area
Finsbury Park Core Strategy Key Area

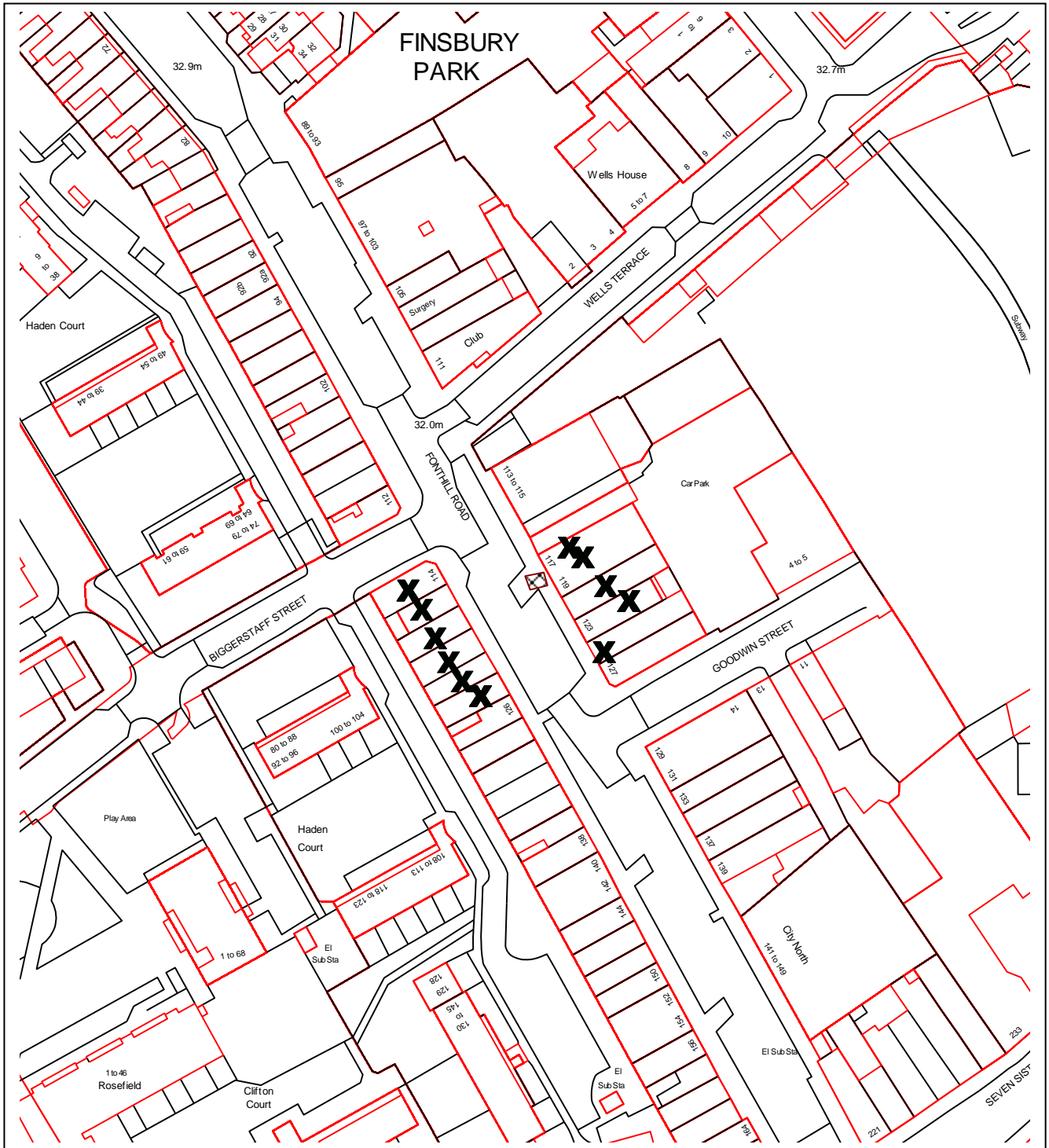
Within 100m of a SRN Road

5 SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

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Islington SE GIS Print Template



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P2017/0949/ADV

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0922/ADV
Application type	Advertisement Consent
Ward	Bunhill Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone Local Cycle Route Major Cycle Route Finsbury Local Plan Area – Bunhill & Clerkenwell
Licensing Implications	None
Site Address	Pavement outside 169-173 Old Street, Islington, London, EC1V
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

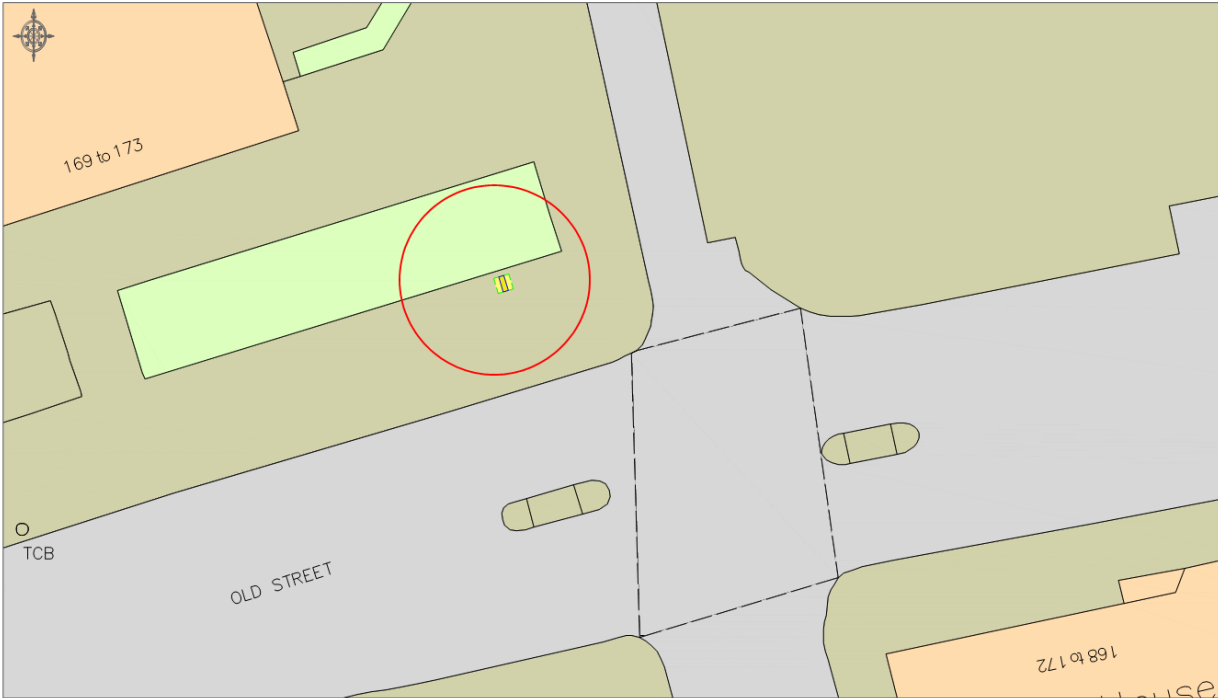
Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

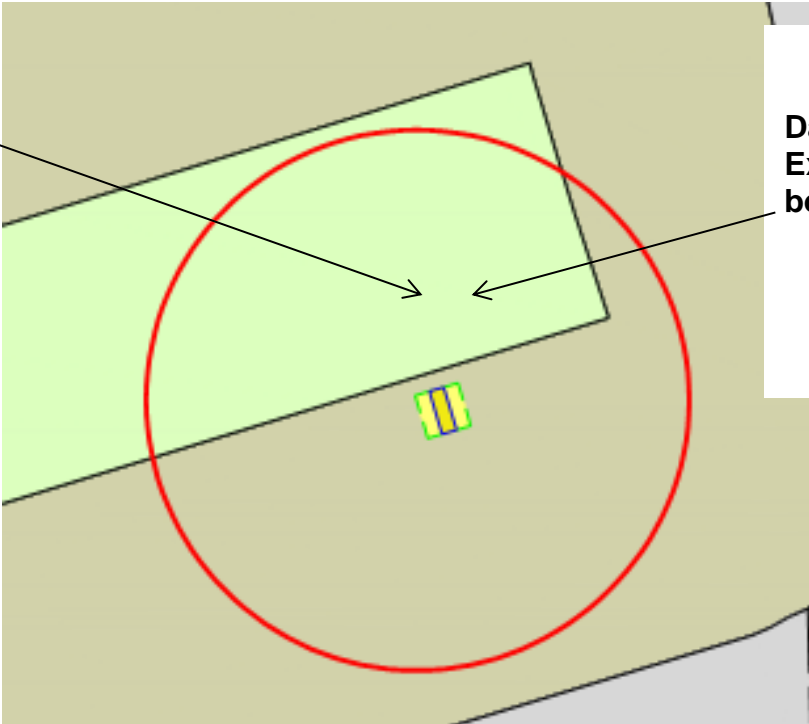
1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (circled in black)



Solid rectangle = Proposed link unit

Dashed outline = Existing phone box



3. PHOTOS OF SITE/STREET

Location of Site



Image 1: Street view of the site

Location of Site



Image 2: View of existing BT phone box looking east along Old Street towards Old Street roundabout

Location of Site



Image 3: View of existing BT phone box looking west along Old Street towards St Lukes Close



Images 4 and 5: Existing Photograph of Site and Proposed CGI Image

4. SUMMARY

- 4.1 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but were subsequently withdrawn.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Should advertisement consent be granted, it would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside 169-173 Old Street at the junction with Bath Street which currently contains an existing BT phone box. The phone box is located on a wide stretch of pavement adjacent to a low boundary wall which separates Nos 169-173 Old Street from the main thoroughfare. The properties immediately surrounding the site are predominantly two storeys in height and used for commercial purposes, although there are also a number of tall buildings reaching up to eight storeys in height in the immediate locality. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is of mixed character.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.

6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone box on the site, as shown on the site plan and photographs in Section 2 above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.

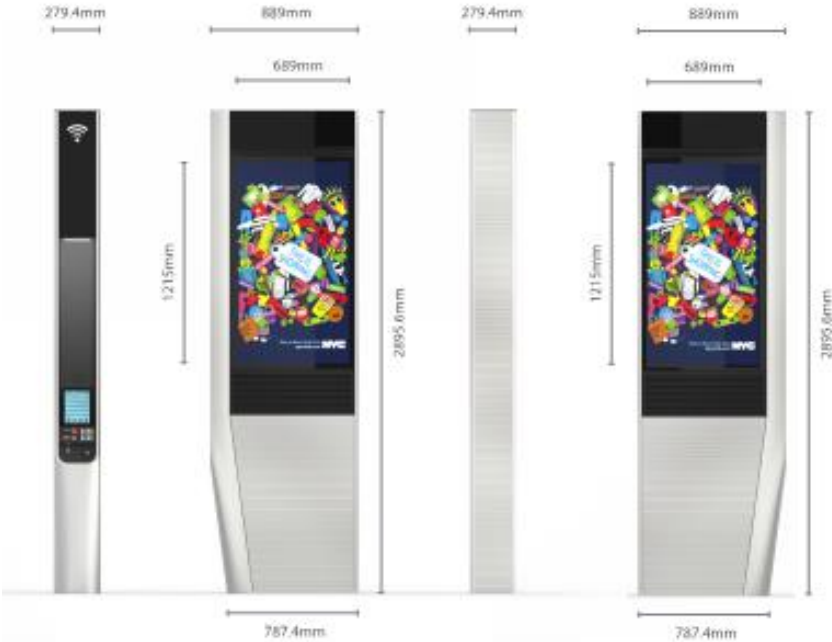


Image 6: Design of proposed link unit

6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 Pavement opposite 130 Old Street (100m from the site):

P2017/1618/ADV – Retrospective application for the erection of 3no. non-illuminated signs displayed on the free-standing solar-powered Smart Bench featuring four branding surfaces and a customer interface. Awaiting determination.

7.2 Pavement opposite 130 Old Street (100m from the site):

P2017/1566/FUL - Retrospective application for a free-standing solar-powered Smart Bench featuring four branding surfaces and a customer interface. Awaiting determination.

- 7.3 P2015/3053/ADV - Pavement area outside 65-108 Newland Court (50m from the site): Display of double sided advertisement on bus shelter (internally illuminated and static), to be displayed on relocated bus shelter from outside 207 Old Street to new location 24metres west along Old Street. Approved (29/05/2015)
- 7.4 Royal Mail House, 148 Old Street (25m from the site):
P2016/2313/ADV - Erection of temporary construction hoarding containing advertisements. Approved (25/07/2016)
- 7.5 Bus shelter outside Kersella House, 184-186 Old Street (75m from the site):
P2015/3843/ADV – Installation of a double-sided freestanding Forum Structure, featuring 1 x Digital 84" screen on one side and a static poster advertisement panel on the reverse. Approved (17/11/2015)
- 7.6 Wall adjoining Steadman Court, 165 Old Street (40m from the site):
P111249 – Application to vary the wording of condition 3 (duration of which artwork can remain in situ) of planning permission ref: P101364, dated 22/09/11 for the: 'Installation of a memorial comprising an artistic mural'. Approved (05/08/2011)
- 7.7 Wall adjoining Steadman Court, 165 Old Street (40m from the site):
P2017/0203/S73 – Section 73 application to vary Condition 2 (Duration of which artwork can remain in situ) of planning permission P111249, dated 05 August 2011 for the existing mural to be displayed for an additional 2 years. Approved (25/04/2014)

ENFORCEMENT:

- 7.8 None.

PRE-APPLICATION ADVICE:

- 7.9 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Old Street on 16 March 2017. A site notice was also displayed on 23 March 2017. The public consultation on the application ended on 13 April 2017.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report no letters of objections had been received from the public with regard to the application.

External Consultees

- 8.3 **Metropolitan Police:** With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.

No objection with regards to the advertisements themselves.

Internal Consultees

- 8.4 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.
- 8.5 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.
- 8.6 **Communications and Change:** No comment.
- 8.7 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.8 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.
- 8.9 **Lighting and Streetworks (Highways):** As the location of existing phone boxes are being used, no objections are raised from an electrical supply point of view.
- 8.10 **Maintenance (Highways):** Concern that a number of companies of choosing similar locations for advertisements and that this would detract from the street scape.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.12 **Better Archway Forum:** **The advertisements are inappropriately large and unnecessary** to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile

phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.

- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS8 (Enhancing Islington's character) states that the scale of development should reflect the character of the area. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They

must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.

- 10.14 This application proposes the addition of two advertisement panels, located on the eastern and western elevations of a new link unit which would be sited outside 169-173 Old Street. The proposed link unit would replace a single BT telephone box in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is commercial in nature. Old Street is a busy thoroughfare leading to Old Street Roundabout. The buildings on the west side of Old Street closest to the application site date from the 1960s/70s and are of no particular cultural or historic merit. These buildings are 2 storeys high and used for commercial purposes. Newland Court is an 8 storey building located immediately to the north of the site with commercial units on the ground floor and residential units above. The application site is seen within the context of this building when viewed looking east towards Old Street. There are no listed buildings within the vicinity. Consequently, the new displays would be seen in close association with nearby shops where a wide variety of signs are displayed, some of which are illuminated and in close association with the 8 storey modern building to the west. It should also be noted that Royal Mail House immediately opposite the site is currently undergoing renovations and extensions and will be development into an 8 storey property. Illuminated advertisements are considered to be an appropriate form of development in principle in this urban commercial landscape.
- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.
- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the shopfront fascia signs that sit adjacent to the site and similar in height to the bus stop advertisements seen in various locations around the Borough. In addition, the pavement is exceptionally wide in this location, providing relief between the advertisement and the carriageway. There is an existing planted area with large trees which separates the phone box from the commercial units to the rear and provides a break in the wide expanse of pavement between the shops and the road. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would as such neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.
- 10.19 It is important to note here that a condition on the consent would require the removal of the existing phone box prior to commencement of the works and also the removal of an additional phone box approximately 215m to the north of the site on the corner of Bath Street and Galway Street, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Old Street street scene. Indeed, the

development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts anti-social behaviour and the installation of a sleeker structure with a reduced footprint. The site plan below shows the location of the additional phone box to be removed:



Image 7: Site plan showing the location of the additional phone box which would be removed prior to commencement of the works

- 10.20 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter. Some 75m to the north of the site, outside number 184-186 Old Street, is an internally bus stop advert. There is also an Infocus telephone box outside number 169 Old Street which has a non-illuminated advertisement on its eastern elevation. Temporary advertisement consents to be displayed on the hoarding outside No 148 Old Street have also been granted consent and there is also large display of street art outside Steadman Court which is located 40m west of the site.
- 10.21 Whilst both the illuminated 6 bus stop adverts and the advertisement signs outside 148 Old Street would be visible when viewed from east of the site on Old Street, there is a

visual gap of 75m between the application site and the bus stop advert. Furthermore the hoarding is temporary and is due to expire in February 2018. The Infocus advertisement and the street art are not visible at night. It is not considered for these reasons that the proposal when viewed from the east would result in unacceptable cumulative advertisement clutter. The boulevard of trees which runs along the north side of Old Street would prevent the advert from being overly dominant and the proposal would result in no undue visual clutter when viewed from either direction.

- 10.22 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given approval but which have not yet been implemented and the location of these was a material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within the vicinity of this application site
- 10.23 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at Ritson House. The proposed advertisements would be 5.7m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.24 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.25 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.26 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.27 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 5.7m from the vehicular carriageway. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.28 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.

- 10.29 There are no internally illuminated advertisement signs in the immediate locality that could cause confusion with the proposed sign and it therefore not considered to cause a hazard to road users.
- 10.30 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.31 The proposed signage would be located adjacent to a bank of trees and would be set away from the main road. Highways have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.32 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with Highways standards.
- 10.33 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.34 Highways raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.35 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to</p> <ul style="list-style-type: none">(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. <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
6	Luminance

	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety.</p>
11	Removal of Existing Phone Boxes
	<p>CONDITION: The Development hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: 02072516382 are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 7 – Bunhill and Clerkenwell
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 - Advertisements
Policy DM8.2 – Managing transport impacts

4. Designations

Bunhill & Clerkenwell Core Strategy Key Area
Central Activities Zone

Local Cycle Route
Major Cycle Route
Finsbury Local Plan Area – Bunhill & Clerkenwell

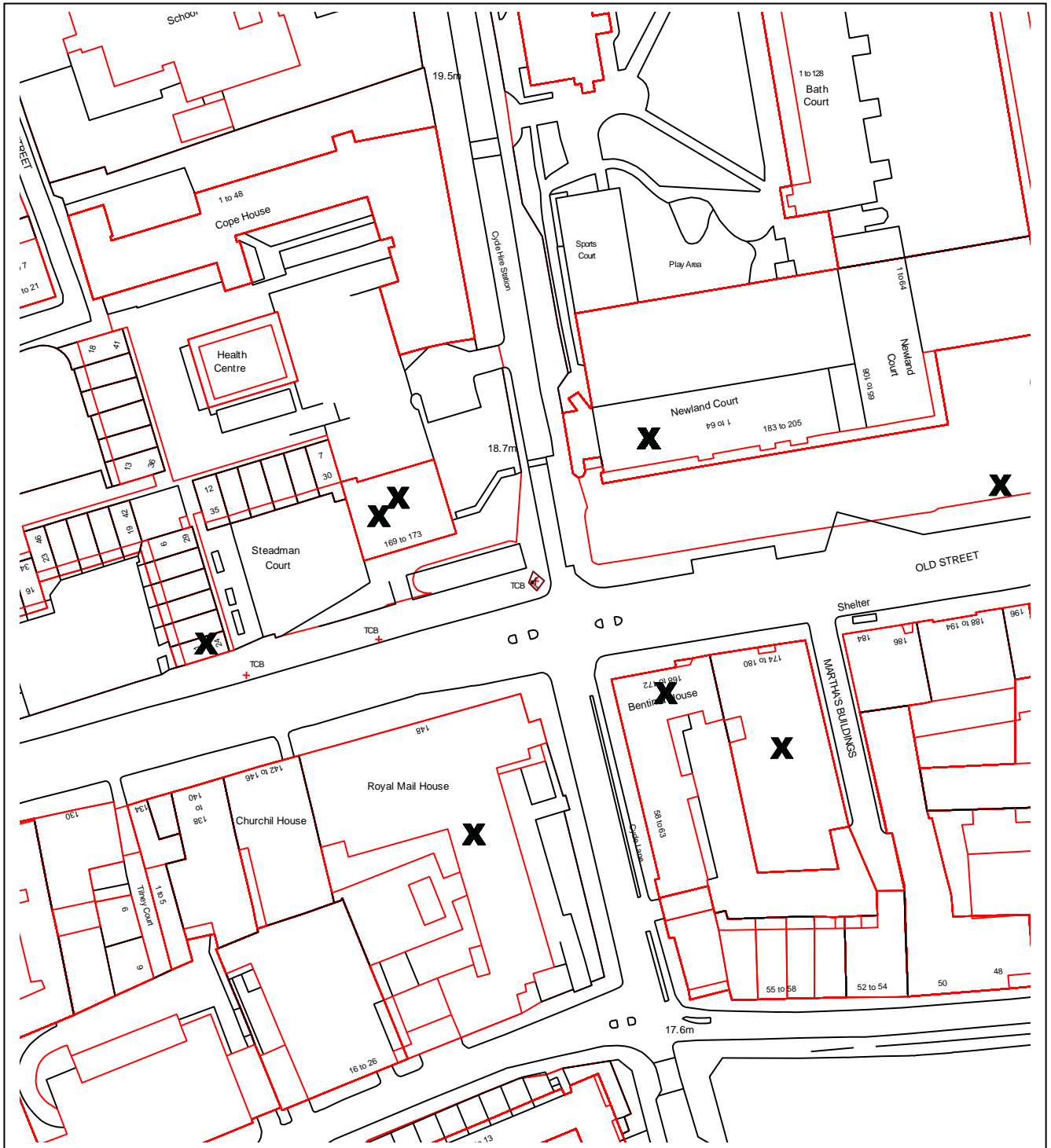
5. SPD/SPGS

Urban Design Guide 2017

Finsbury Local Plan 2013
Streetbook 2012

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0573/ADV
Application type	Advertisement Consent
Ward	Barnsbury Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Area Local Flood Risk Zone Caledonian Road (Copenhagen Street) Local Shopping Area Within 100m of a SRN Road Within 50m of Barnsbury Conservation Area
Licensing Implications	None
Site Address	Pavement outside 174 Caledonian Road, Islington, London, N1
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

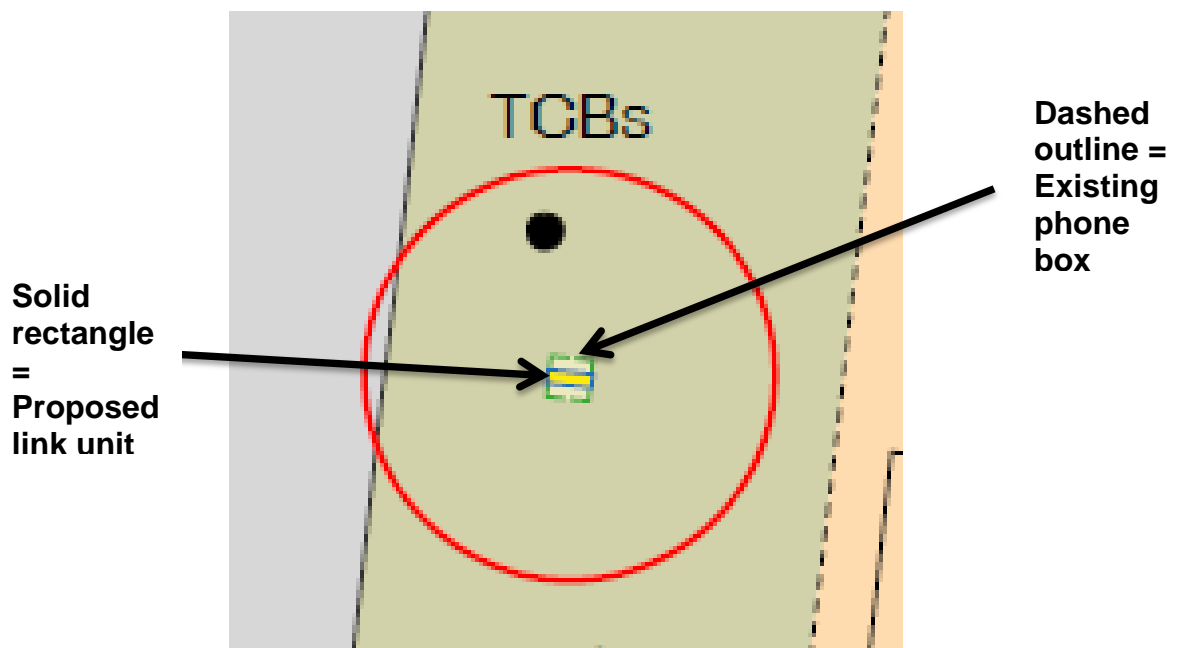
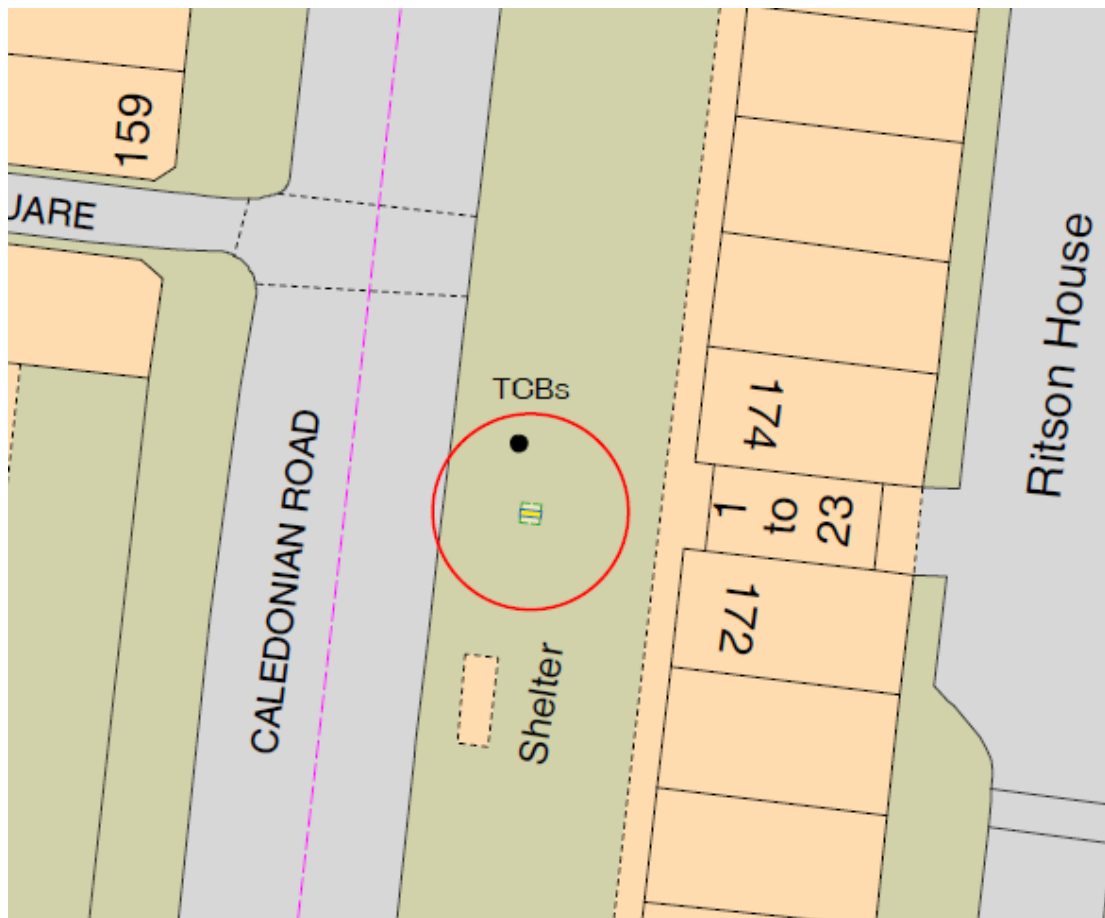
Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (site circled in black)



3. PHOTOS OF SITE/STREET



Image 1: View of the site



Image 2: View of existing BT phone box looking south along Caledonian Road towards Carnegie Street



Image 3: View of existing BT phone box looking north along Caledonian Road towards Copenhagen Street



Image 4 and 5: Existing Photograph of Site and Proposed CGI Views

4. SUMMARY

- 4.1 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structure known as 'link units'. 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but were subsequently withdrawn.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Should advertisement consent be granted, it would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside 174 Caledonian Road, which currently contains an existing BT phone box. The phone box is located outside a four-storey building. The ground floor units are used for commercial purposes whilst the upper three floors are residential. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is of mixed character.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone box on the site, as shown on the site plan and photographs above. It would have an

overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 6: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Outside 178 Caledonian Road: (10m from the site):
P020567 - Erection of 1no. internally illuminated double-sided free-standing advertisement display unit. Allowed on appeal 10/04/2002. This permission has been implemented.
- 7.2 Outside 174 Caledonian Road): (0m from the site):
P071389 - Addition of an ATM to the BT public pay phone. Refused 27/07/2007.
- 7.3 Outside 174 Caledonian Road: (0m from the site):
P122451 Prior notification for the installation of electronic communications apparatus on highway (Infocus telephone box). Approved 20/12/2012. This permission has been implemented.
- 7.4 Bus stop outside 169-171, Caledonian Road: (42m from the site):

P080128 – Display of an internally illuminated advertisement on bus shelter. Approved (07/03/2008)

7.5 Bus shelter outside 169-171, Caledonian Road: (42m from the site):
P051383 – Installation of two panel advert on bus shelter. Approved (01/08/2005)

7.6 Outside 190 Caledonian Road: (46m from the site):
P020566 Erection of 1no. internally illuminated double-sided free- standing advertisement display unit. Allowed on appeal 14/08/2002.

ENFORCEMENT:

7.7 None.

PRE-APPLICATION ADVICE:

7.8 None.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on Caledonian Road and Edward Square on 6 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.

8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report no objections had been received from the public with regard to the application.

External Consultees

8.3 **Transport for London (TfL):** No objection.

8.4 **Metropolitan Police:** With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.

No objection with regards to the advertisements themselves.

Internal Consultees

8.5 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.

8.6 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.

- 8.7 **Communications and Change:** No comment.
- 8.8 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.9 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.10 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.11 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.

- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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 traYc 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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS6F (Kings Cross) states that the area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside 174 Caledonian Road. The proposed link unit would replace a single BT telephone box in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is commercial in nature. Caledonian Road is a busy thoroughfare and whilst Barnsbury conservation area is located some 20m away from the site to the north west, the buildings on the east side of Caledonian Road adjacent to the application site are modern in design and are of no particular cultural or historic merit. These buildings are 4 storeys high, with commercial units on the ground floor and residential dwellings above. There are no listed buildings within the vicinity. Consequently, the new displays would be seen in close association with nearby shops where a wide variety of signs are displayed, some of which are illuminated and in close association with the 4 storey modern building behind. Illuminated advertisements are

considered to be an appropriate form of development in principle in this urban commercial landscape.

- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.
- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the shopfront fascia signs that sit behind and similar in height to the bus stop advertisements seen in various locations around the Borough. The proposed adverts would also be smaller in size than the lower 6 sheet advert to the north of the site. The backdrop of the proposed advertisements includes a 4 storey building and commercial premises and the advertisements would not appear excessive in size or out of scale with the surroundings in this context. In addition, the pavement is relatively wide in this location, providing relief between the advertisement and the carriageway. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would as such neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.
- 10.19 A condition is recommended that would require the removal of the existing phone box prior to commencement of the works and also the removal of an additional phone box approximately 220m to the east of the site on the corner of Carnegie Street and Charlotte Terrace, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Caledonian Road street scene. Indeed, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts anti-social behaviour and the installation of a sleeker structure with a reduced footprint. The site plan below shows the location of the additional phone box to be removed:

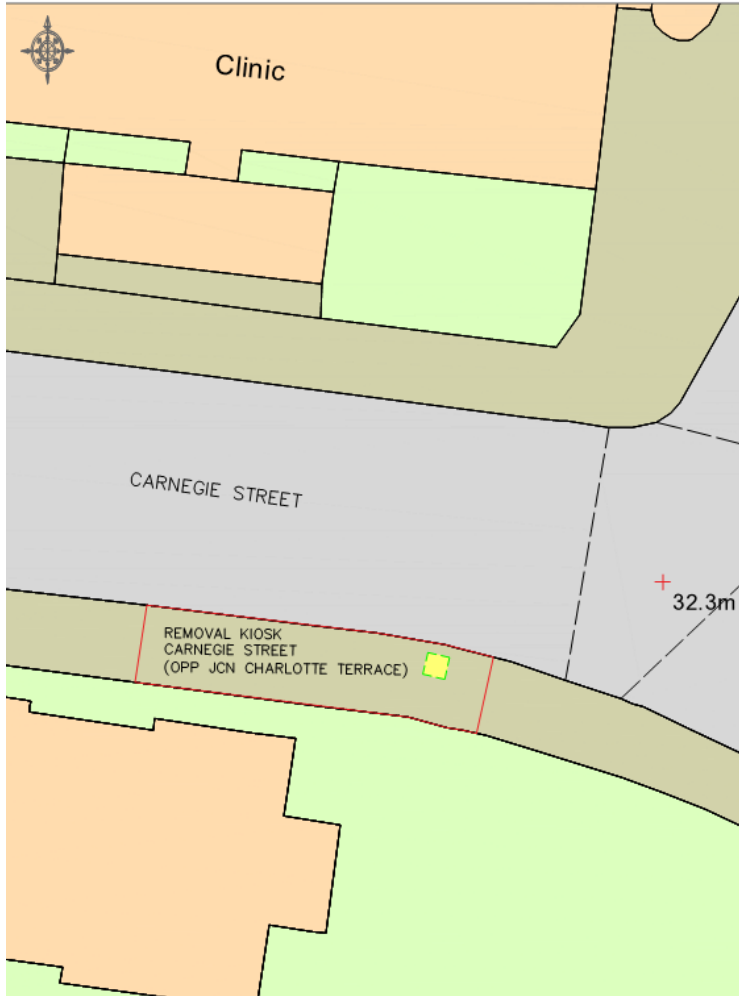


Image 7: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.20 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter. Some 15m to the north of the site, outside number 178 Caledonian Road, is an internally illuminated 6 sheet advertisement display panel which is 1800mm high and 1200mm wide. There is also an Infocus telephone box outside number 176 Caledonian Road which has a non-illuminated advertisement on its northern elevation. The bus shelter to the south of the site also has an advert on its southern elevation which is illuminated.
- 10.21 Whilst both the illuminated 6 sheet advertisement and the proposed advertisement would be visible when viewed from north of the site on Caledonian Road, there is a visual gap of 15m between the two. The Infocus advertisement is not visible at night and the bus stop advert is south facing. It is not considered for these reasons that the proposal when viewed from the north would result in unacceptable cumulative advertisement clutter. When viewed from the south, the proposed 6 sheet advert and Infocus advert would not be visible and the proposal would result in no undue visual clutter when viewed from this direction.
- 10.22 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given

approval but which have not yet been implemented and the location of these was a material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within the vicinity of this application site

- 10.23 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at Ritson House. The proposed advertisements would be 5.7m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.24 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.25 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.26 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.27 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 3.2m from the vehicular carriageway. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.28 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.29 it is the case that there is an internally illuminated display panel some 14m to the north of the site. Both advertisements would be visible to vehicles traveling south but they would not so close as to be confusing and interfering. The signage would be obscured traveling north on Caledonian Road by the existing bus stop and would not cause a hazard to road users.
- 10.30 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor

would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.

- 10.31 The proposed signage would be located to the north of a bus stop. TfL have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.32 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with TfL standards.
- 10.33 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.34 Transport for London raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.35 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1- RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to</p> <ul style="list-style-type: none">(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. <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
6	Luminance

	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety.</p>
11	Removal of Existing Phone Boxes
	<p>CONDITION: The advertisement hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: PY2899-001 are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.5 Public realm

B) Islington Core Strategy 2011

Policy CS 6 - Kings cross
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 – Advertisements
Policy DM8.2 – Managing transport impacts

4 Designations

Kings Cross & Pentonville Road Core Strategy Key Area
Caledonian Road (Copenhagen Street) Local Shopping Area
Within 100m of a SRN Road

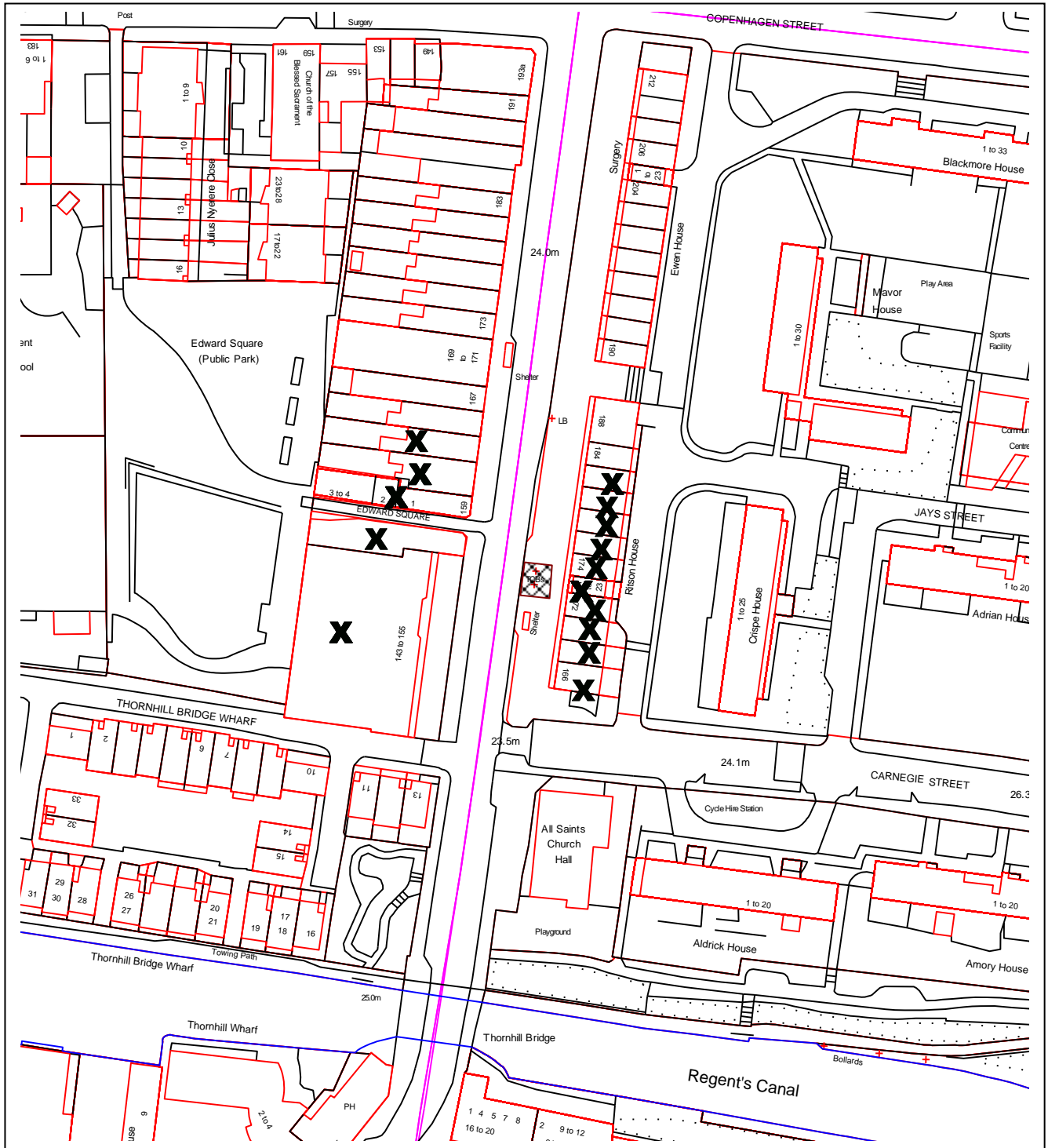
Within 50m of Barnsbury Conservation Area

5 SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0605/ADV
Application type	Advertisement Consent
Ward	Highbury West Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Finsbury Park Core Strategy Key Area Finsbury Town Centre Within 100m of a TLRN Road Major Cycle Route
Licensing Implications	None
Site Address	Pavement outside 268-270 Seven Sisters Road, Islington, London, N4
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

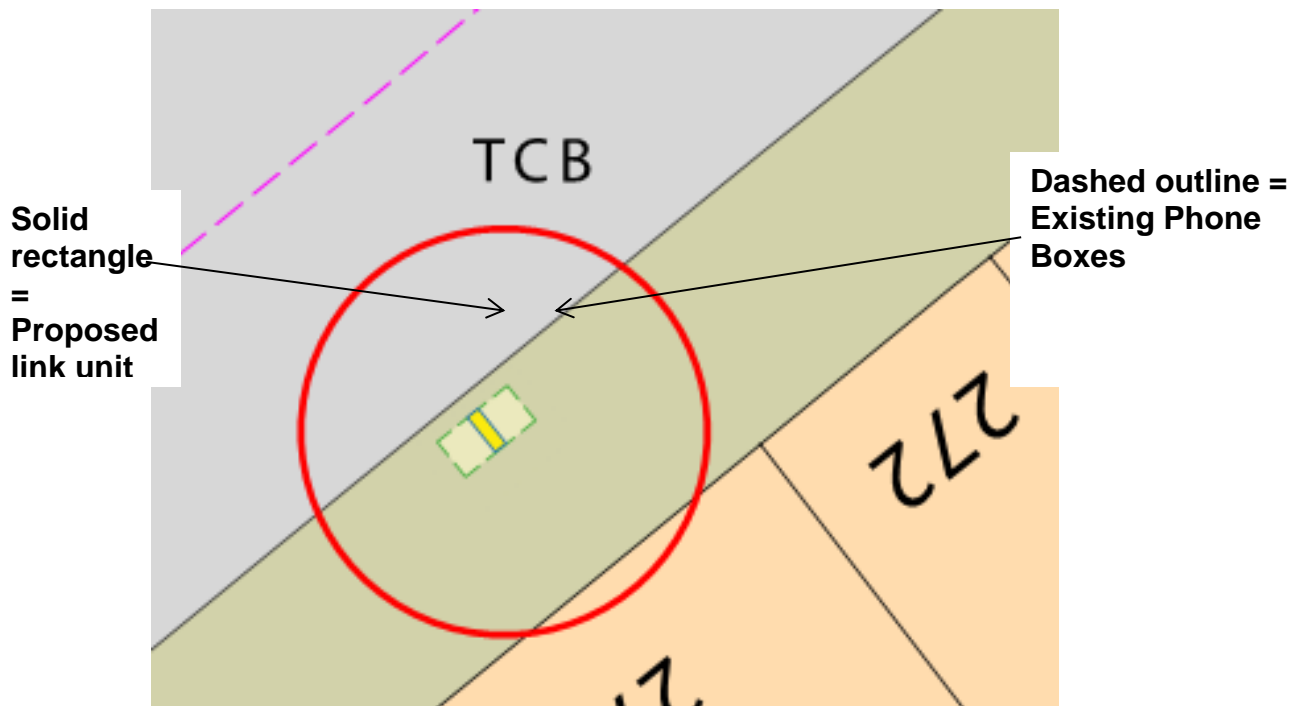
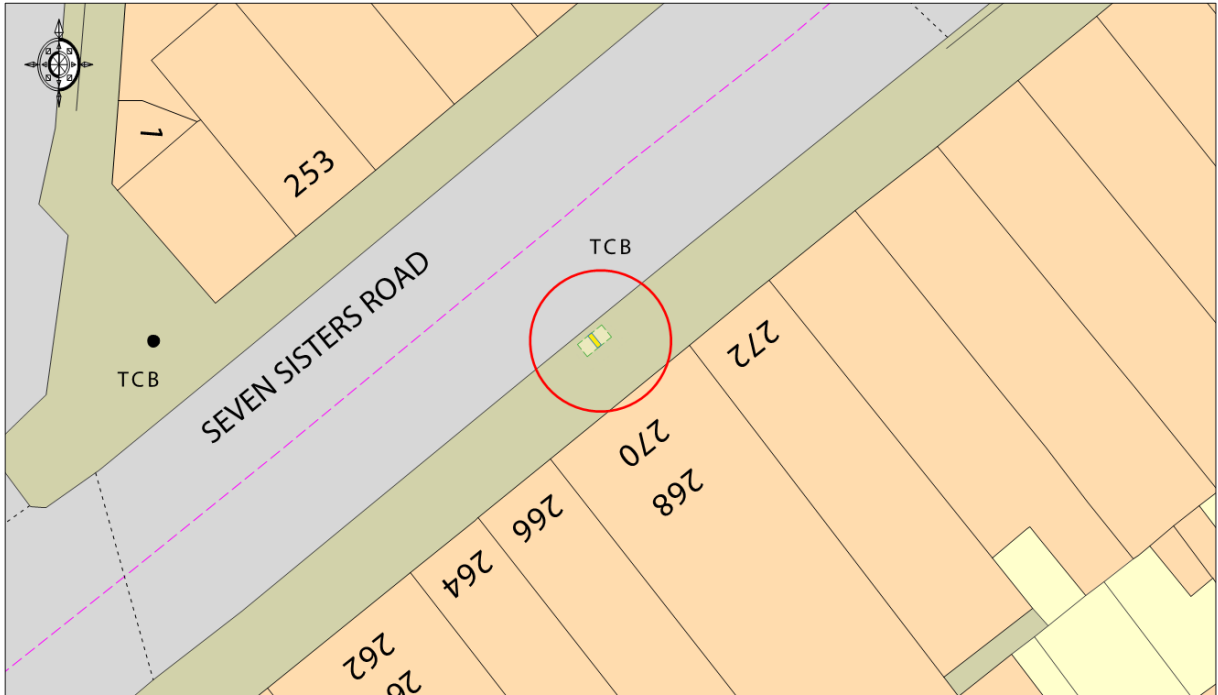
Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

SITE LOCATION (circled in black)



2. PHOTOS OF SITE/STREET

Location of Site



Image 1: Street view of the site

Location of Site

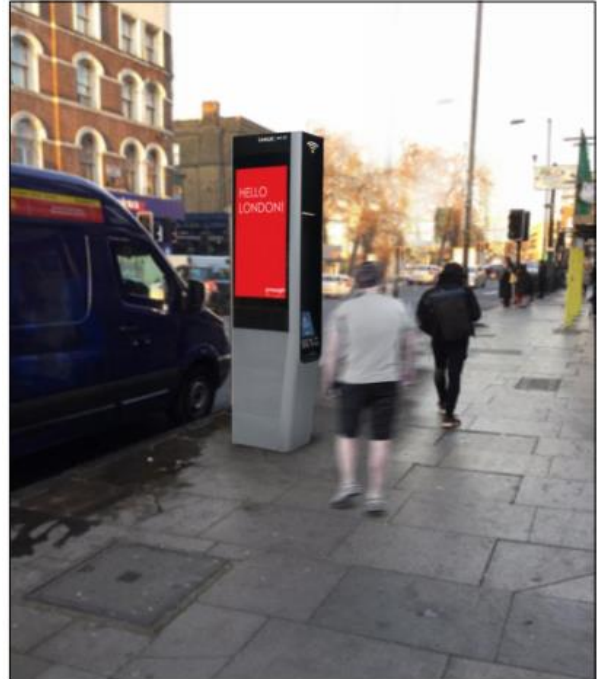


Image 2: View of existing BT phone box looking south-west along Seven Sisters Road towards Finsbury Park Station

Location of Site



Image 3: View of existing BT phone box looking north-east along Seven Sisters Road towards Blackstock Road



Images 4 and 5: Existing Photograph of Site and Proposed CGI Views

4. SUMMARY

- 4.1 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but were subsequently withdrawn.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Should advertisement consent be granted, it would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside Nos 268-270 Seven Sisters Road which currently contains two existing BT phone boxes. The phone boxes are located outside a three-storey building, with rooms in the roof space. The ground floor units are used for commercial purposes, as a Tesco's Express, whilst the upper floors are residential. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is of mixed character as the site is located within the Finsbury Park Town Centre.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.

6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing double phone boxes on the site, as shown on the site plan and photographs in Section 2 above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.

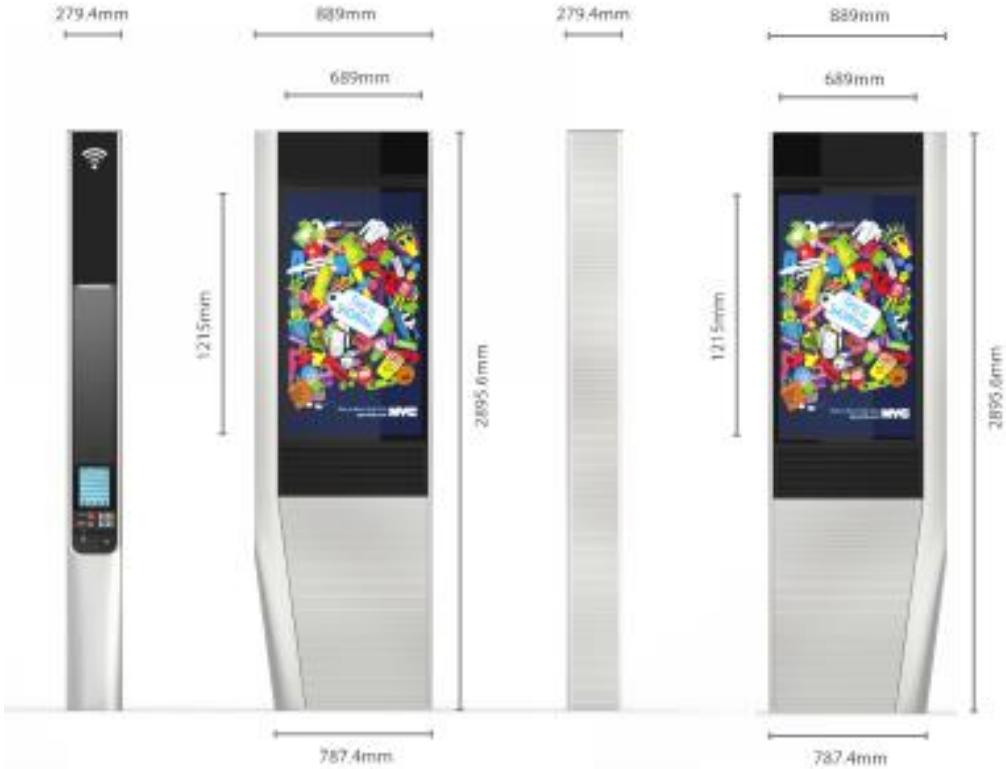


Image 6: Design of proposed link unit

6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 250-252 Seven Sisters Road (60m from the site):

P2016/1567/ADV – Relocation of existing advertising hoarding sited close to Finsbury Park Station to wall adjacent to Park Gate House. Approved (15/06/2016)

Bus Stop outside 5 Station Place (45m from the site):

992063 - Installation of 2 poster panel advertisements forming an integral part of a bus shelter. Approved (23/02/2000)

Footway in Seven Sisters Road near junction with Station Place (90m from the site):

972000 - Erection of a freestanding visitors information sign 2400mm by 900mm by 165mm. Approved (13/01/1998)

Finsbury Park Interchange Station Place (60m from the site):

950019 - Advertisement consent to replace existing display on part of side of railway bridge with new display. Approved (18/08/1995)

ENFORCEMENT:

7.2 None.

PRE-APPLICATION ADVICE:

7.3 None.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on Seven Sisters Road, Rock Street and Station Place on 8 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.

8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report no objections had been received from the public with regard to the application.

External Consultees

8.3 Transport for London (TfL) – No objection to this application subject to conditions.

8.4 Metropolitan Police – With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.

No objection with regards to the advertisements themselves.

Internal Consultees

8.5 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.

8.6 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and

the impact that servicing may have on the safe and efficient operation of the transport infrastructure.

8.7 **Communications and Change:** No comment.

8.8 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.

8.9 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

8.10 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated

8.11 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure

would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.

- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS2F (Finsbury Park) states that the area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of Finsbury Park and its surroundings. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the eastern and western elevations of a new link unit which would be sited outside 268-270 Seven Sisters Road. The proposed link unit would replace two BT telephone boxes in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is commercial in nature. Seven Sisters Road is a busy thoroughfare and the site is located 50m away from Finsbury Park Station. The site is not located in close proximity to any conservation areas and the surrounding residential properties vary considerably in terms of design. These buildings are predominantly 3-4 storeys high, with commercial units on the ground floor and residential dwellings above. There are no listed buildings within the vicinity. There is a large variation in the design of shop frontages at the ground floor level.

Consequently, the new displays would be seen in close association with nearby shops where a wide variety of signs are displayed, some of which are illuminated and in close association with the 4 storey building behind. Finsbury Park Station also dominates the landscape in this location. Illuminated advertisements are considered to be an appropriate form of development in principle in this urban commercial landscape.

- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.
- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the shopfront fascia signs that sit behind and similar in height to the bus stop advertisements seen in various locations around the Borough. The proposed adverts would also be smaller in size than the hoarding advert to the west of the site immediately adjacent to Finsbury Park Station. The backdrop of the proposed advertisements includes a 4 storey building and commercial premises and the advertisements would not appear excessive in size or out of scale with the surroundings in this context. In addition, the pavement is relatively wide in this location, providing relief between the advertisement and the carriageway. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would as such neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.
- 10.19 A condition is recommended that would require the removal of the existing phone box prior to commencement of the works. Therefore there would as such be a net loss in the amount of street furniture or clutter in the immediate vicinity. Indeed, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts anti-social behaviour and the installation of a sleeker structure with a reduced footprint. The site plan below shows the location of the additions two phone boxes to be removed:

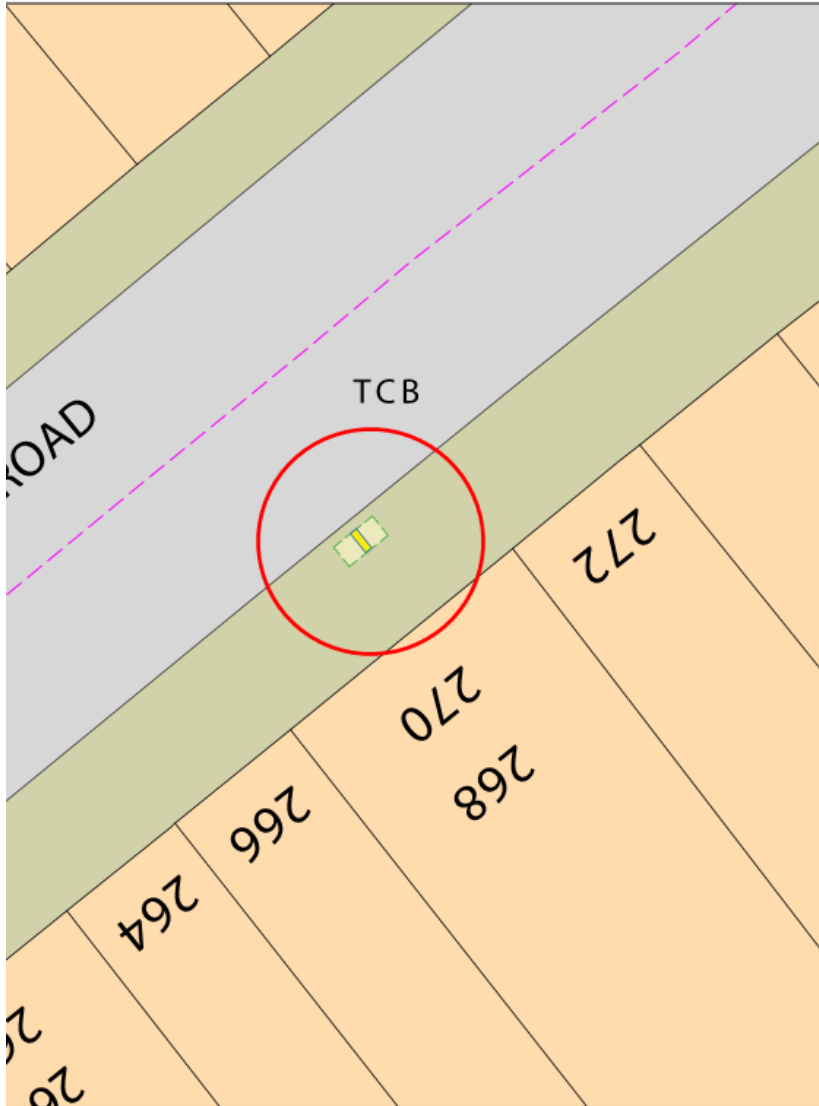


Image 7: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.20 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter. Some 60m to the west of the site, outside number Finsbury Park Station, is an internally illuminated hoarding which is 3548mm high and 6596mm wide (48 sheet hoarding).
- 10.21 Whilst both the illuminated 48 sheet advertisement and the proposed advertisement would be visible when viewed from east of the site on Seven Sisters Road, there is a visual gap of 100m between the two. It is not considered for these reasons that the proposal when viewed from the east would result in unacceptable cumulative advertisement clutter. When viewed from the west, the proposed 48 sheet advert would not be visible as it is obscured by the bridge and the proposal would result in no undue visual clutter when viewed from this direction.
- 10.22 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given approval but which have not yet been implemented and the location of these was a

material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within the vicinity of this application site

- 10.23 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at 268-270 Seven Sisters Road. The proposed advertisements would be 3.2m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.24 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.25 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.26 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.27 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 0.8m from the vehicular carriageway. However, on the opposite side of the pavement there would be a distance of 3.2m between the link units and the front of the shop. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.28 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.29 It is the case that there is an internally illuminated display panel some 100m to the west of the site. Both advertisements would be visible to vehicles traveling east but they would not so close as to be confusing and interfering. The signage would be obscured traveling west on Seven Sisters Road by the existing railway bridge adjacent to Finsbury Park Station and would not cause a hazard to road users.
- 10.30 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in

close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.

- 10.31 The proposed signage would be located to the north of a bus stop. TfL have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.32 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 3.2m, in compliance with TfL standards.
- 10.33 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.34 Transport for London raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.35 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and

the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3** It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to</p> <ul style="list-style-type: none">(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. <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
6	Luminance

	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety.</p>
11	Removal of Existing Phone Boxes
	<p>CONDITION: The Development hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: PY2927 – 001 are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 2 – Finsbury Park
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 – Advertisements
Policy DM8.2 – Managing transport impacts

4. Designations

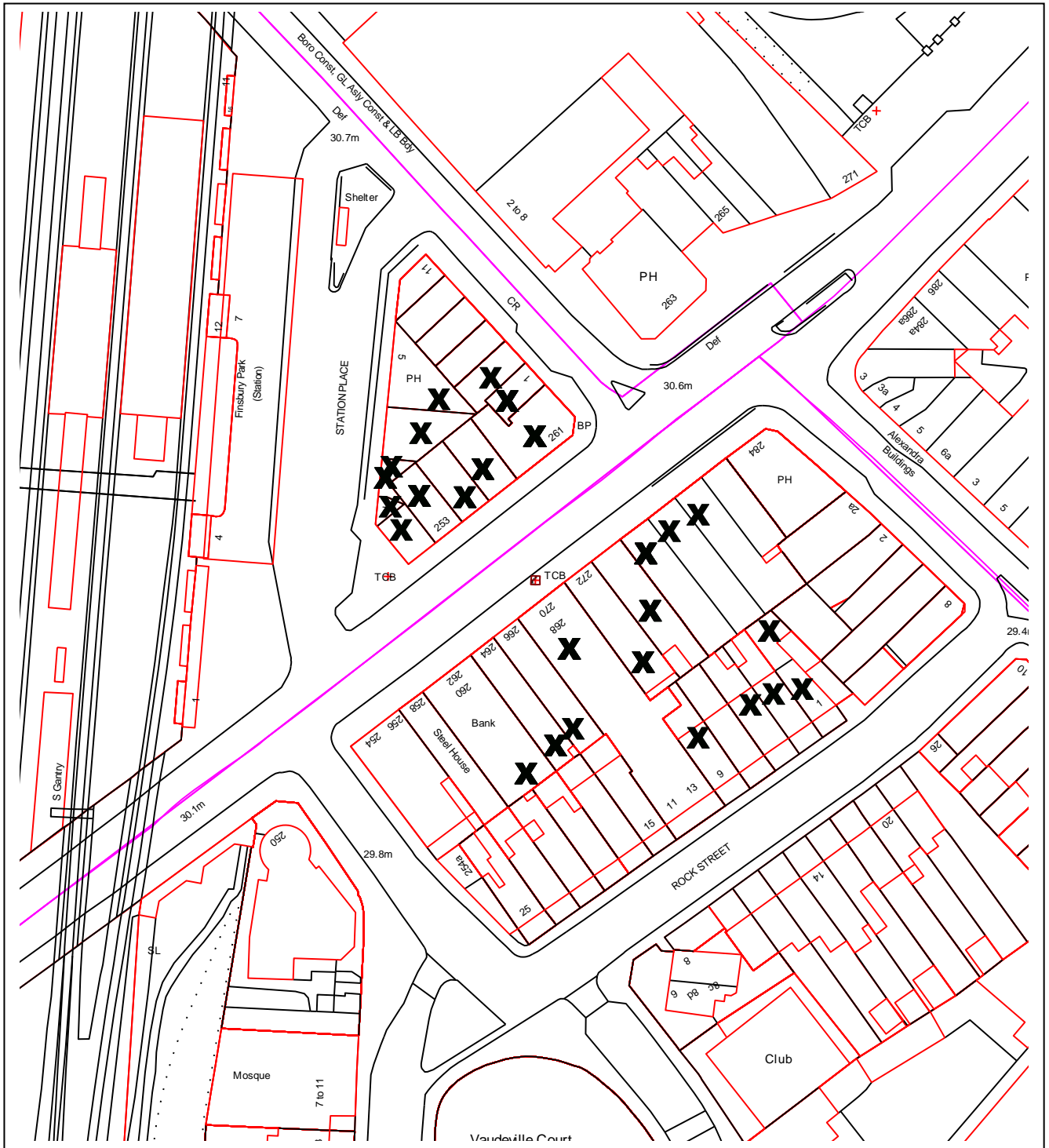
Finsbury Park Core Strategy Key Area
Finsbury Town Centre
Within 100m of a TLRN Road
Major Cycle Route

5. SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0553/ADV
Application type	Advertisement Consent
Ward	Holloway Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Nags Head and Upper Holloway Road Core Strategy Key Area Within the Nags Head Town Centre Within the Secondary Retail Frontage- Nags Head Within 50m of Hillmarton Conservation Area
Licensing Implications	None
Site Address	Pavement outside 379 Holloway Road, London, N7
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

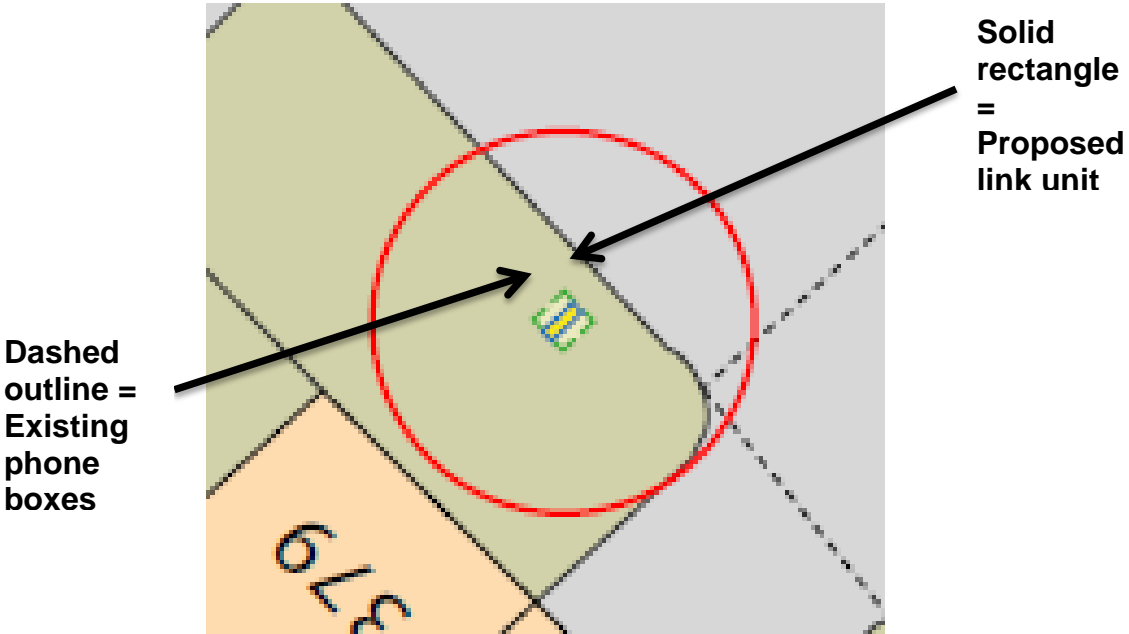
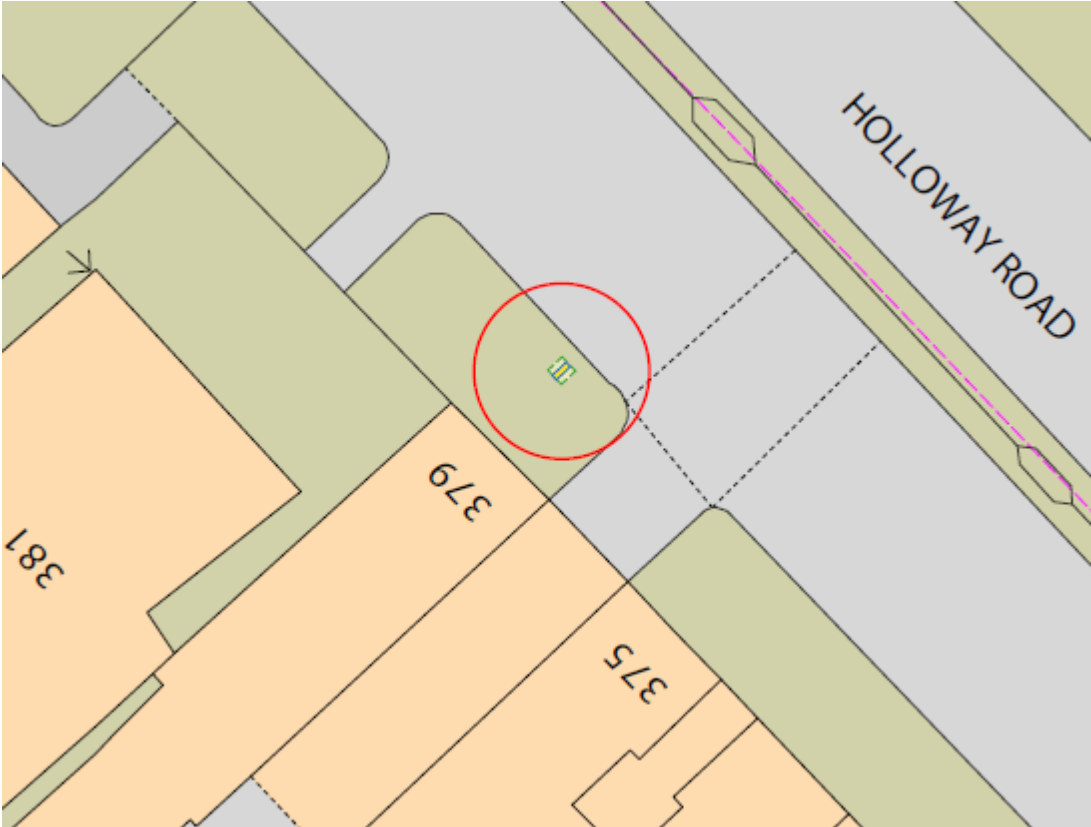
Case Officer	Sally Fraser
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (site circled in black)



3. PHOTOS OF SITE/STREET



Image 1: View of the site looking south along Holloway Road



Image 2: View of the site looking north along Holloway Road



Images 4 and 5: Existing Photograph of Site and Proposed CGI View of Site

4. SUMMARY

- 4.1 This application forms part of a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. A total of 63 advertisement consent applications for these link units have been submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but have subsequently been withdrawn by the applicant.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. These applications are brought to committee at Councillor Klute's request.
- 4.3 Each application proposes the removal of at least two existing BT phone boxes, which would be secured via a condition on the consent.
- 4.4 This application requests advertisement consent for 2no. internally illuminated screens attached to a new link unit which would be located on the site of an existing BT telephone box outside 379 Holloway Road. The proposal includes the removal of the existing phone box on the site and additionally the removal of two phone boxes on the east side of Holloway Road, opposite the site, making a total of three phone boxes to be removed in total.
- 4.5 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.6 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height,

siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.

- 4.7 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.8 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside 379 Holloway Road, which is located on the west side of Holloway Road. The site is currently occupied by 1no. BT phone box. The area immediately surrounding the site is mixed commercial and residential in character, with building heights ranging between 3 and 4 storeys. This western stretch of Holloway Road comprises ground floor commercial units with residential dwellings above. The Holloway Seventh Day Adventist Church lies directly to the north of the site, set back from the main Holloway Road building line.
- 5.2 The site is not located within a conservation area and there are no listed buildings in the immediate vicinity.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, attached to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone box on the site, as shown on the site plan and photographs above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 5: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.
- 6.4 The removal of the existing phone box would be secured by a condition on the consent, as would the removal of two additional phone boxes on the east side of Holloway Road, opposite the site.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

Within the immediate vicinity of the site

- 7.1 880608 (BT telephone box outside 379 Holloway Road): Insertion of a non illuminated advertising panel 1345mm x 896mm on the rear of the kiosk. Approved 18/08/1988. Implemented.

Within 100m of the site

- 7.2 P2016/3798/ADV (Telephone Kiosk outside 402 Holloway Road): Replacement telephone kiosk with 2no. associated internally illuminated digital display panels. Approved 15/12/2016. Not yet implemented.
- 7.3 P2016/3799/ADV (Telephone Kiosk Outside 436 Holloway Road): Replacement telephone kiosk with 2no. internally illuminated digital display panels. Approved 15/12/2016. Not yet implemented.

- 7.4 P2016/3795/ADV (Outside 347 Holloway Road): Replacement telephone kiosk with 2no. internally illuminated digital display panels. Approved 15/12/2016. Not yet implemented.
- 7.5 P080120 (Bus shelter outside 355 Holloway Road): Display of an internally illuminated advertisement on bus shelter. Approved 07/03/2008. Implemented.
- 7.6 992631 (City and Islington College 383 Holloway Road): Installation of electronic display board above ground floor front windows. Approved 15/02/2000. Implemented.
- 7.7 990723 (Bus shelter outside 434 Holloway Road): Installation of two internally-illuminated poster panels. Approved 25/05/1999. Implemented.
- 7.8 880608 (Telephone Kiosk outside 379 Holloway Road): Insertion of a non-illuminated advertising panel on the rear of the kiosk. Approved 18/08/1988. Implemented.

ENFORCEMENT:

- 7.9 None.

PRE-APPLICATION ADVICE:

- 7.10 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Holloway Road on 6 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report, no letter of objection has been received from the public with regard to the application.

External Consultees

- 8.3 **Transport for London (TfL):** The proposed advertisements would have an acceptable impact on highways safety, subject to the recommended conditions.
- 8.4 **Metropolitan Police:** With regards to the link unit structure itself- The unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes the element of a shelter – which leads to anti-social uses such as rough sleeping.
- 8.5 No objection with regards to the advertisements themselves.

Internal Consultees

- 8.6 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the

surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.

- 8.7 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.
- 8.8 **Communications and Change:** No comment.
- 8.9 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.10 Officers note: Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the link units are overstated
- 8.12 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the link units. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the link units would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other matters

Background

10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.

10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.

10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.

10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.

10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development

consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.

- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS3 (Nags Head and Upper Holloway) states that improving the public realm to enhance the environment for pedestrians and cyclists is a key priority, including making it less cluttered, more inclusive, attractive and safer. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development Management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside 379 Holloway Road. The proposed link unit would replace a BT telephone box in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 Holloway Road is a busy thoroughfare and the stretch of Holloway Road that includes the application site is particularly wide, with a central reservation that visually separates the built form on the east and west sides. The application site forms part of the westerly street scene, which is mixed commercial and residential in character. The site is within the Nags Head Town Centre and the built form is characterised by ground

floor commercial frontages with illuminated fascia signage and residential flats above. Whilst the Adventist Church lies directly to the north of the site and is architecturally pleasing, it is set back from the main Holloway Road building line and isn't readily viewed in conjunction with the existing phone box. Instead the phone box is viewed in the context of the 7 storey 1960's monolithic block to the north of the Church. None of the built form within the immediate vicinity has any specific cultural or historic merit and there are no listed buildings adjoining the site.

- 8.17 Consequently, the new digital displays would be seen in the context of the modern high rise built form to the north of the site and the shopfronts directly behind the site, which exhibit a wide variety of illuminated and non-illuminated signage. The addition of illuminated advertisements within this urban commercial landscape is considered to be an acceptable form of development in principle.
- 10.18 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, nor would they be out of scale in this commercial location. The following paragraphs consider the application on these grounds.
- 10.19 The proposed advertisements would be lower in the street scene than the ground floor fascia signs that form the street scene immediately behind the site and in addition, the pavement is relatively wide in this location, providing relief between the advertisements and the carriageway. Given the height of neighbouring buildings, the width of the pavement and the commercial nature of the area, it is considered that the advertisements would not appear excessive in height or size, nor would they appear out of scale with the surroundings in this context. They would neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated shopfronts.
- 10.20 A condition is recommended that would require the removal of the existing phone box on the site prior to commencement of the works and, in addition, the removal of 2 phone boxes opposite the site on the eastern side of Holloway Road, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and in the wider Holloway Road street scene. The site plan below shows the location of the additional 2 phone boxes to be removed:



Image 6: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.21 As such, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of three unused, unsightly phone boxes which attract anti-social behaviour and replace them with a single structure with a smaller footprint than the traditional phone box.
- 10.22 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter.
- 10.23 In that regard, there are no pavements advertisements, either illuminated or non-illuminated, within the immediate vicinity of the site. It is also the case that there have been no applications for advertisement consent submitted to the councils for new pavement advertisements which have been approved but not implemented, within the vicinity of the site. It is therefore the case that the proposed illuminated advertisements would not result in any cumulative or undue pavement clutter.
- 10.24 To avoid undue light spill, the intensity of the illumination of the advertisements, as secured by condition, would be 300 cdm² between dusk and dawn and 2500cdm² during the day, in line with TfL guidance. The nearest residential occupiers are behind the site above the shops at first floor on Holloway Road. The proposed advertisements would be 7m from these flats and would not directly face the windows, being at right angles to them. Given that the windows would be above the level of the proposed signage and given that the signage would not directly face the windows, it is

considered that, with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.

- 10.25 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.26 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.27 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.28 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 0.74m from the vehicular carriageway, as per the existing telephone box. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.29 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.30 There are no other pavement advertisements within the immediate vicinity and no advertisements that have been approved but not implemented within the immediate vicinity. The proposal would as such not be visible in the same 'view' from the carriageway as any other advertisements and would not lead to confusion or interference to road users.
- 10.31 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.32 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box it would replace and would reduce pavement clutter and enhance pedestrian flow. In addition, the

positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with TfL standards.

- 10.33 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. As addressed in para 10.30 above, there are no advertisements which have been granted consent and not implemented within the immediate vicinity of the site. It should also be noted that, for completeness, section 7 of this report cites every application for pavement advertisements which has been submitted to the council within the past 20 years and notes whether the application has been approved or refused.
- 10.34 Transport for London have raised no objections to the proposed advertisements on Highways Safety grounds, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.35 It should be noted that the councils Environmental Development and Projects team have raised concerns with regards to the maintenance arrangements in relation to the link unit structures and specifically how the maintenance arrangements may impact on the safe and proper operation of the transport infrastructure. Whilst these concerns are noted, issues surrounding the maintenance of the units themselves are outside of the control of the planning authority in relation to this advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, that the carriageway and footway must be kept clear.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1- RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Maintenance (visual amenity)
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007</p>
3	Maintenance (safe condition)
	<p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Removal
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Luminance
	<p>The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
6	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p>

	REASON: In the interests of visual amenity and highway safety.
7	Visual Effects
	CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second. REASON: In the interests of visual amenity and highway safety.
8	Special Effects
	CONDITION: Each advertisement shall be static. There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. REASON: In the interests of visual amenity and highway safety.
9	Installation and Maintenance
	CONDITION: The footway and carriageway on the TLRN and 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: In the interests of highway safety
10	Removal of Existing Phone Boxes
	CONDITION: The advertisement hereby permitted shall not be commenced until the three existing BT phone boxes shown on Plan No: PY2916 – 001 dated 13 th June 2017 are removed in their entirety. REASON: In the interests of visual amenity and highway safety.

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.5 Public realm

B) Islington Core Strategy 2011

Policy CS 3- Nags Head and Upper Holloway
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 – Advertisements
Policy DM8.2 – Managing transport impacts

4 Designations

Nags Head and Upper Holloway Key Area
Nags Head Town Centre
Secondary Retail Frontage

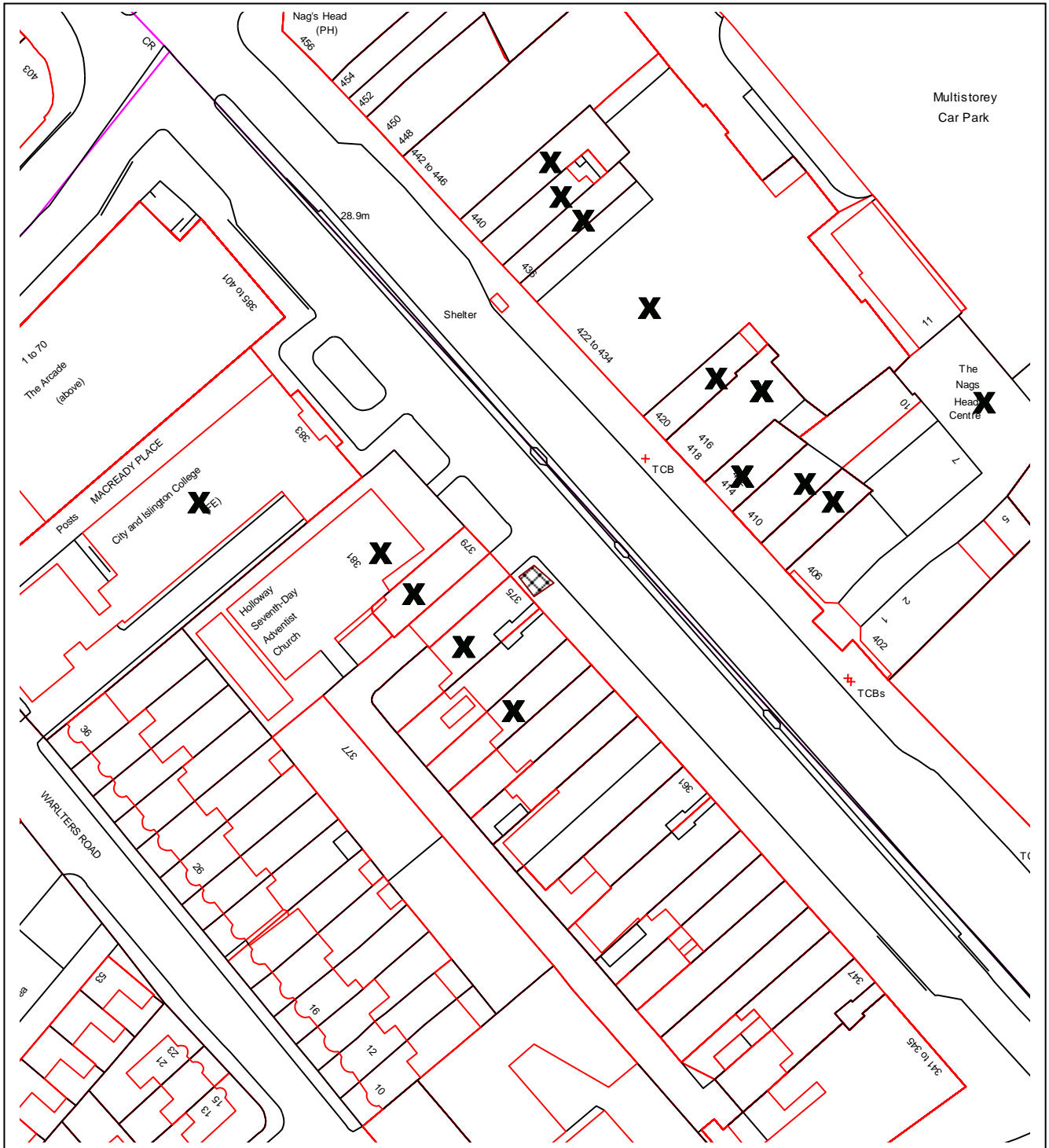
Within 100m of a SRN Road
Within 50m of Hillmarton Conservation Area

5 SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0900/ADV
Application type	Advertisement Consent
Ward	Highbury East Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Finsbury Park Town Centre (211 Blackstock Road – Locally Listed)
Licensing Implications	None
Site Address	Pavement outside Highbury Vale Police Station, 211 Blackstock Road, London, N5
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

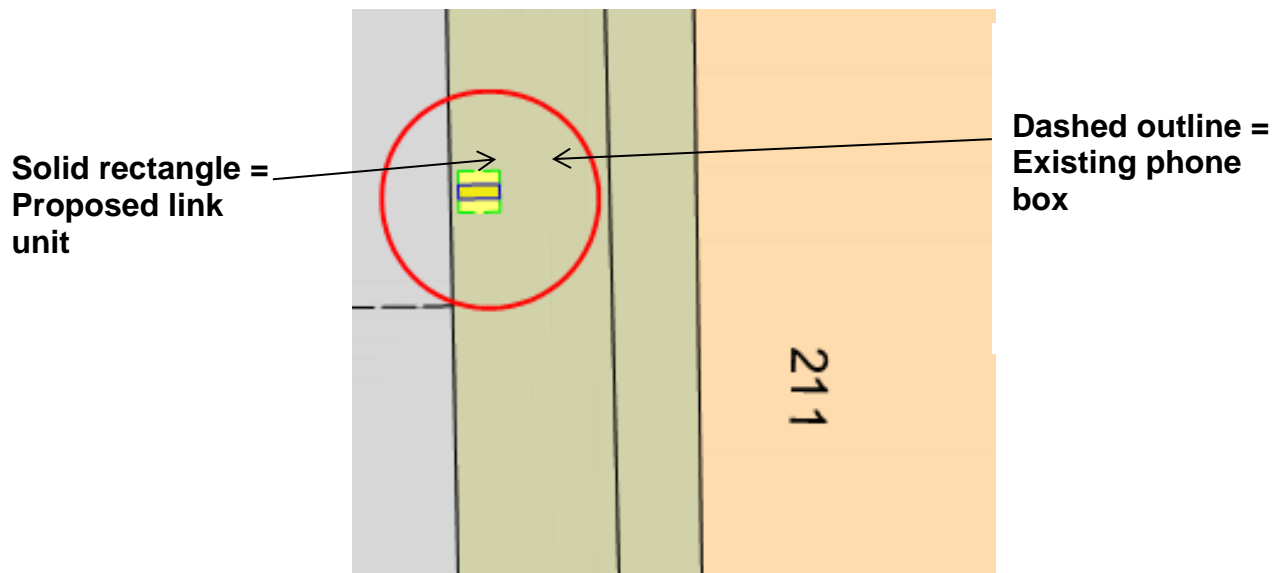
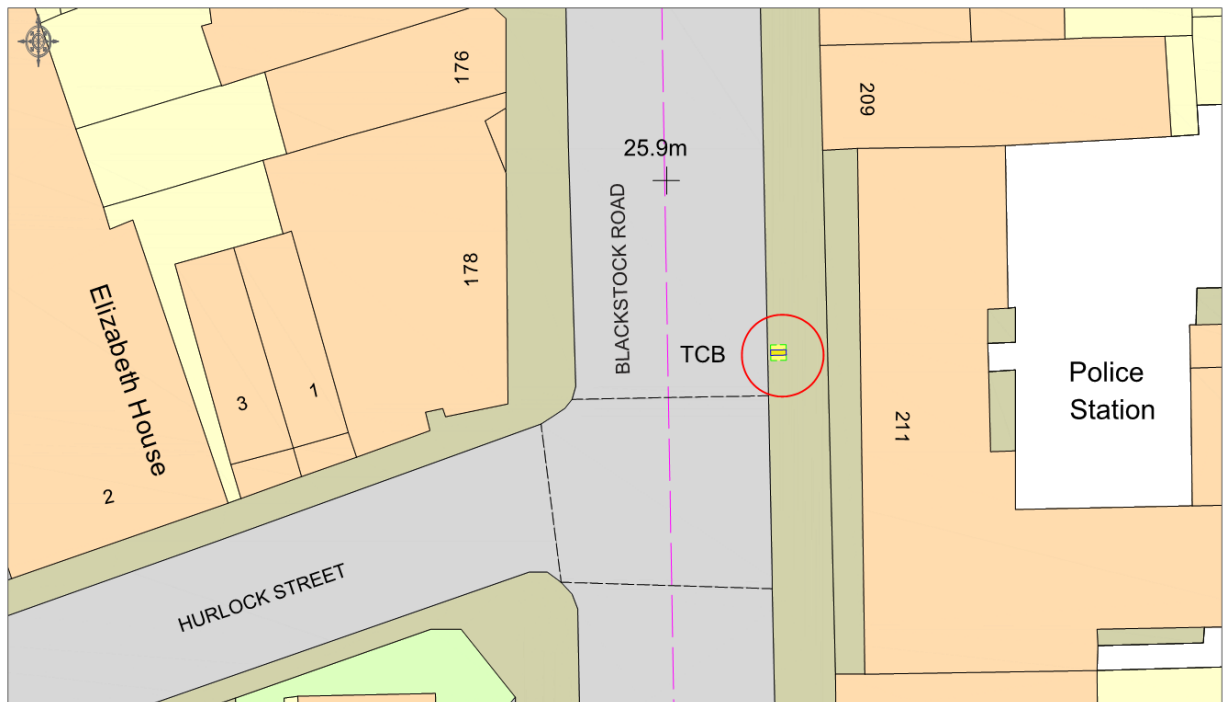
Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (circled in black)



3. PHOTOS OF SITE/STREET



Image 1: Street view of the site



Image 2: View of existing BT phone box looking north along Blackstock Road towards Mountgrove Road

Location of Site



Image 3: View of existing BT phone box looking south along Blackstock Road towards Riversdale Road



Images 4 and 5: Existing Photograph of Site and Proposed CGI Views of Site

4. SUMMARY

- 4.1 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but were subsequently withdrawn.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Should advertisement consent be granted, it would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside 211 Blackstock Road opposite the junction with Hurlock Street which currently contains an existing BT phone box. The phone box is located close to the edge of the pavement, away from the existing boundary wall, which separates this locally listed building from the rest of the street. The properties surrounding the site are predominantly three storeys in height with commercial premises located at the ground floor and residential units in the upper floors. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is of mixed character.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing phone box on the site, as shown on the site plan and photographs in Section 2 above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 6: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Bus shelter outside 189-191 Blackstock Road (75m from site):
 P010266 – Installation of 2 poster panel advertisements on bus shelter. Approved (27/02/2001)

ENFORCEMENT:

- 7.2 None.

PRE-APPLICATION ADVICE:

7.3 None.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties on Blackstock Road and Canning Road on 16 March 2017. A site notice was also displayed on 23 March 2017. The public consultation on the application ended on 13 April 2017.

8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report no letters of objections had been received from the public with regard to the application.

External Consultees

8.3 **Metropolitan Police:** With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.

No objection with regards to the advertisements themselves.

Internal Consultees

8.4 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.

8.5 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.

8.6 **Communications and Change:** No comment.

8.7 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.

8.8 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

8.9 **Lighting and Streetworks (Highways):** As the location of existing phone boxes are being used, no objections are raised from an electrical supply point of view.

- 8.10 **Maintenance (Highways):** Concern that a number of companies of choosing similar locations for advertisements and that this would detract from the street scape.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.12 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out

below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(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.

(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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS8 (Enhancing Islington's character) states that the scale of development should reflect the character of the area. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside 211 Blackstock Road. The proposed link unit would replace a single BT telephone box in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is commercial in nature. Blackstock Road is a busy thoroughfare leading to Finsbury Park Town Centre in the north and whilst 211 Blackstock Road is locally listed, it is separated from the main street by railings. The buildings on the west side of Blackstock Road opposite to the application site are modern in design they are of no particular cultural or historic merit. These buildings are 3-4 storeys high, with commercial units on the ground floor and residential dwellings above. There are no listed buildings within the vicinity. Consequently, the new displays would be seen in close association with nearby shops where a wide variety of signs are displayed, some of which are illuminated and in close association with the 4 storey modern building to the west. Illuminated advertisements are considered to be an appropriate form of development in principle in this urban commercial landscape.
- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual

clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.

- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the shopfront fascia signs that sit adjacent to the site and similar in height to the bus stop advertisements seen in various locations around the Borough. In addition, the pavement is relatively wide in this location, providing relief between the advertisement and the carriageway. The existing railings also provide a separation with the locally listed building. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would as such neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.
- 10.19 A condition is recommended that would require the removal of the existing phone box prior to commencement of the works and also the removal of an additional phone box approximately 475m to the south of the site outside 54 Highbury Park, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Blackstock Road/Highbury Park street scene. Indeed, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts anti-social behaviour and the installation of a sleeker structure with a reduced footprint. The site plan below shows the location of the additional phone box to be removed:

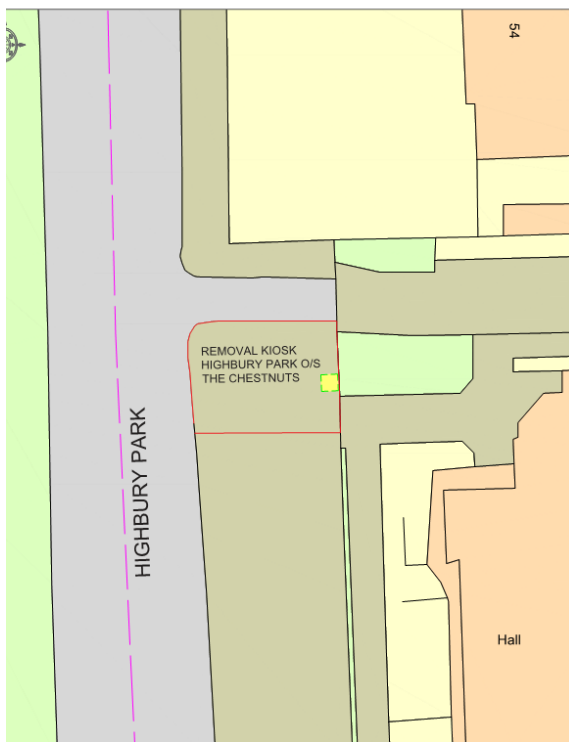


Image 7: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.20 It is important also to note that whilst there are no advertisements signs in the immediate locality, the the addition of the 2 illuminated advertisements in this location would not result in any consequential visual clutter.

- 10.21 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given approval but which have not yet been implemented and the location of these was a material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within the vicinity of this application site
- 10.22 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at Ritson House. The proposed advertisements would be 5.7m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.23 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.24 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.25 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.26 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 0.8m from the vehicular carriageway. However there would be a separation distance of 2.4m between the proposed link unit and the back edge of the pavement. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.27 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.28 There are no internally illuminated advertisement signs in the immediate locality that could cause confusion with the proposed sign and it therefore not considered to cause a hazard to road users.

- 10.29 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.30 The proposed signage would be located outside a loading bay which serves the existing town centre. Highways have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.31 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with Highways standards.
- 10.32 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.33 Highways raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.34 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.

11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to</p> <ul style="list-style-type: none">(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. <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>

6	Luminance
	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety.</p>
11	Removal of Existing Phone Boxes
	<p>CONDITION: The Development hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: 02073541612 are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

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List of Informatives:

1	<p>Positive Statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>
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APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington's character
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 - Advertisements
Policy DM8.2 – Managing transport impacts

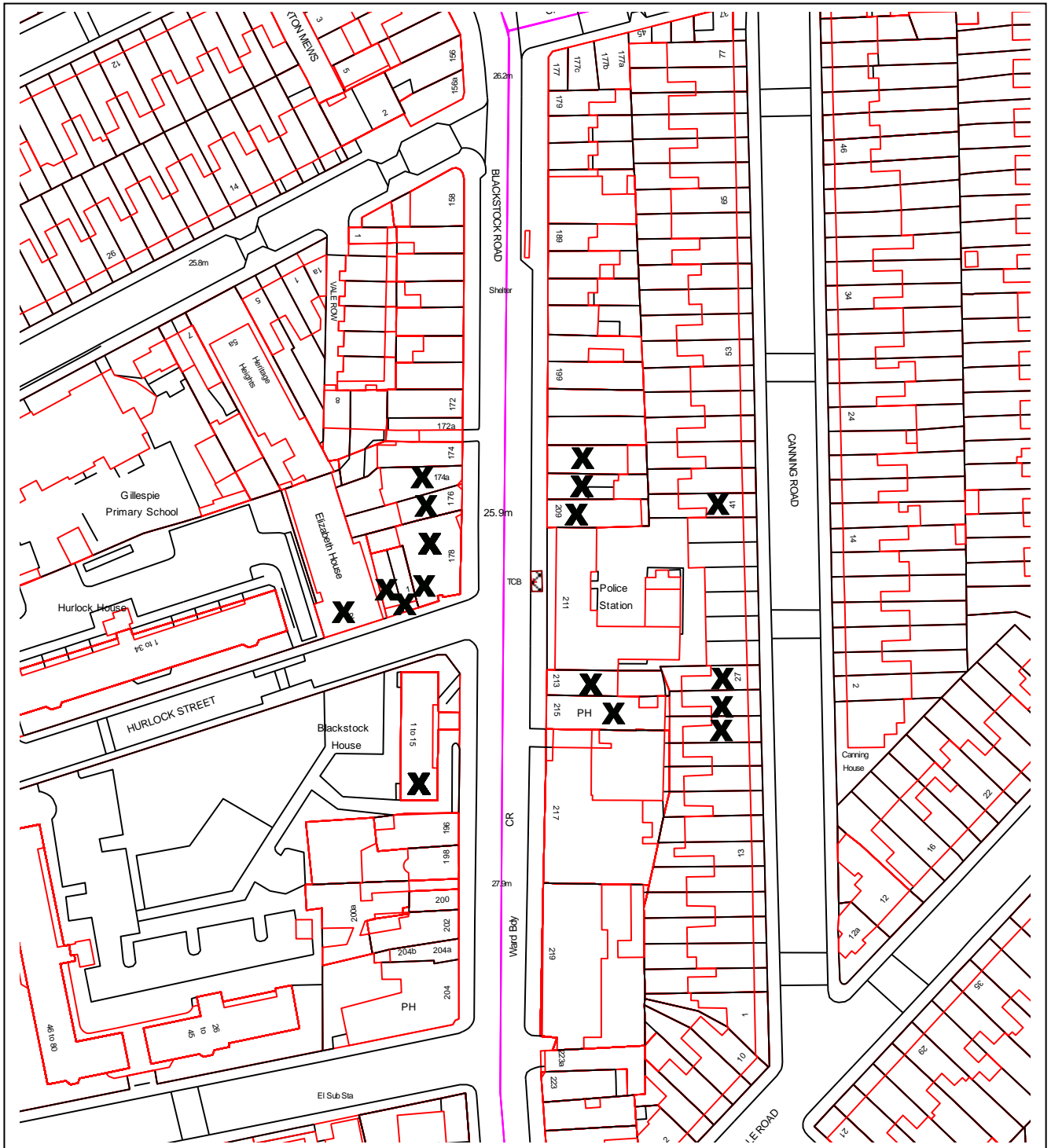
4. Designations

Finsbury Park Town Centre
211 Blackstock Road – Locally Listed

5. SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3 July 2017	NON-EXEMPT

Application number	P2017/0599/ADV
Application type	Advertisement Consent
Ward	St Peters Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Islington Village & Manor House Archaeological Priority Area Angel & Upper Street Core Strategy Key Area Central Activities Zone Strategic Cycle Route Mayors Protected Vista – Alexandra Palace viewing Terrace to St Paul's Cathedral Rail Safeguarding Area – Crossrail 2 Angel Town Centre Within 100m of TLRN Road Within 50m of The Angel Conservation Area
Licensing Implications	None
Site Address	Pavement outside Royal Bank of Scotland, Regent's House, 42 Islington High Street, Islington, London, N1
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

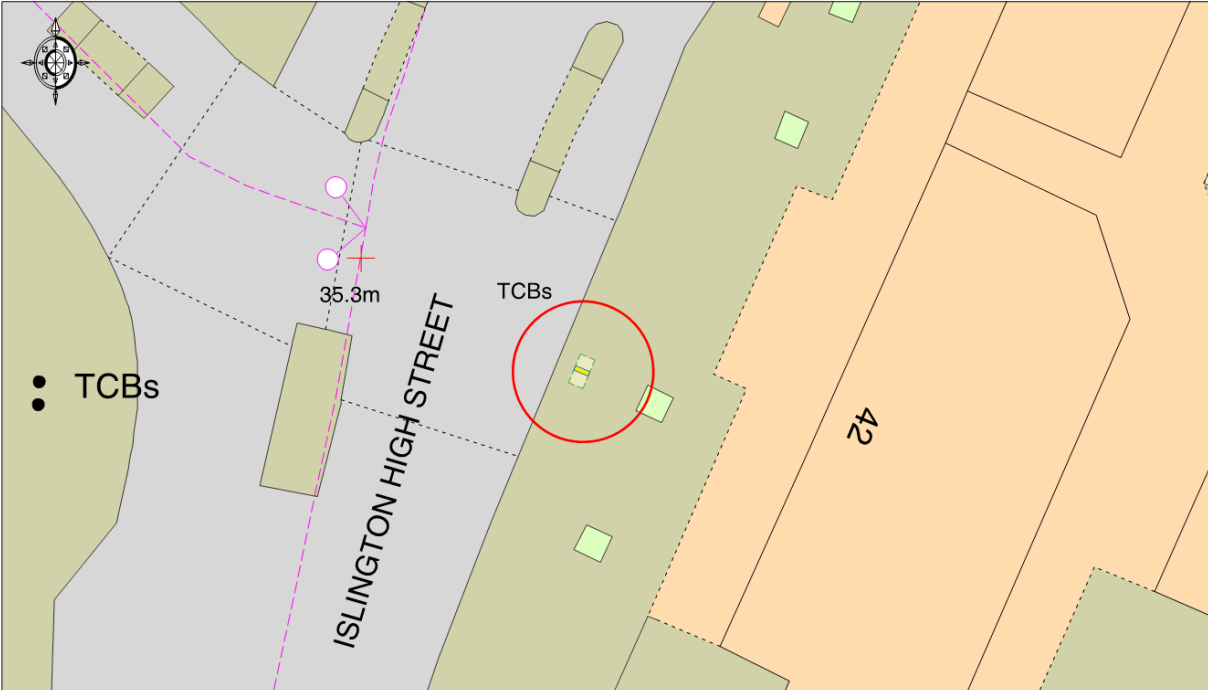
Case Officer	Emily Benedek
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

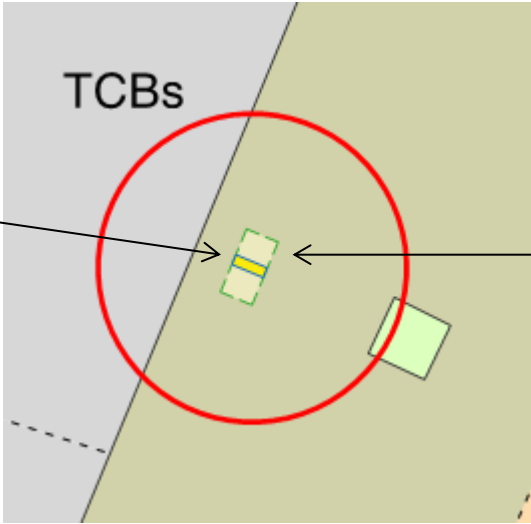
The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (circled in black)



Solid rectangle = Proposed Link Unit



Dashed outline = Existing Phone Box

3. PHOTOS OF SITE/STREET

Location of Site



Image 1: Street view of the site

Location of Site



Image 2: View of existing BT phone box looking south along Islington High Street towards Angel Station

Location of Site



Image 3: View of existing BT phone box looking north along Islington High Street towards Upper Street



Images 4 and 5: Existing Photograph of Site (4) and Proposed CGI Views of site (5)

4. SUMMARY

- 4.1 This application forms part of a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structure known as 'link units'. A total of 63 advertisement consent applications for these link units were submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal and were then subsequently withdrawn by the applicant.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Should advertisement consent be granted, the application would secure the removal of two existing BT phone boxes for each new link unit installed via condition.
- 4.4 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.5 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.
- 4.6 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.7 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside the Royal Bank of Scotland located at 42 Islington High Street which is a six storey building used for commercial purposes. The pavement location currently contains two existing BT phone boxes. The property is not located in a conservation area and the immediate surrounding properties are not listed. The surrounding area is predominantly retail in character at street level with a mix of commercial and residential properties located at the upper floor levels.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/ telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. The structure would be sited in exactly the same position as the existing double phone box on the site, as shown on the site plan and photographs above. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height. The link unit would house a touch screen and key pad and would facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 6: Design of proposed link unit

- 6.3 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Bus shelter outside, York Arcade, 80, Islington High Street (75m from the site):
P112182 - Display of internally illuminated advertisement on existing bus shelter. Approved (16/11/2011)
- 7.2 Bus Shelter, Islington High Street, outside 80 York Arcade (75m from the site):
P111133 - Display of internally illuminated advertisements on existing bus shelter on Islington High Street (outside 80 York Arcade). Approved (11/08/2011)

- 7.3 Lamp-post banners on Upper Street, Islington High Street, Camden Passage and Pentonville Road (1m from the site):

P121123 - Display of 52 x lamp-post banner flags and one x bunting to be displayed on Upper Street, Islington High Street, Camden Passage and Pentonville Road for a temporary period during the Olympic Games. Temporary Approval (16/7/2012)

- 7.4 Regents House 42 Islington High Street (5m from the site):

P2016/4699/ADV - Display of temporary advertisement hoardings positioned on the north western front façade and north eastern and south western side facades of Regents House, 42 Islington High Street for a period of six months. Approved (24 Jan 2017)

- 7.5 Outside 16 Upper Street (82m from the site):

P000692 - Installation of double sided internally illuminated poster panel at bus shelter. Approved (15/5/2000)

- 7.6 Outside 23 Upper Street (100m from the site):

P000693 - Installation of double sided internally illuminated poster panel at bus shelter. Approved (25/5/2000)

- 7.7 Bus stop o/s 18-19 Upper Street (90m from the site):

P2015/4299/ADV - Erection of double sided freestanding forum structure featuring 1 x digital 84" screen on one side and a static poster advertisement panel on reverse. Approved (14/12/2015)

- 7.8 9-11 Liverpool Road (70m from the site):

P111167 - Temporary consent to display an advertisement on a scaffold safety screen with illumination, which will not exceed 600cd/m². Appeal Allowed with Conditions (12/09/2011)

- 7.9 9-11 Liverpool Road (70m from the site):

P081094 - Temporary four months consent to display an advertisement on a scaffold safety screen with illumination. Approved (18/7/2008)

ENFORCEMENT:

- 7.10 None.

PRE-APPLICATION ADVICE:

- 7.11 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Islington High Street and Liverpool Road on 7 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report one letter of objection had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):
- The proposal is mainly used for advertising and the only beneficiaries are the company that get revenue from these adverts (8.3)
 - Increase of street clutter (10.18-10.24)
 - Proposal is opposite of what is trying to be achieved through Angel Town Centre Strategy (10.10-10.24)
 - Increased risk of mobile phone crimes (10.4)
 - Units do not provide public telephone service (except for emergency calls) (10.5)
 - Proposal is ephemeral technology that will be redundant in 3-5 years (8.3)
 - No demand for wifi in this location (8.3)
- 8.3 It should be noted that revenue from advertising, the life span of technology and the demand for wifi are not a material planning considerations that can be taken into consideration when assessing this application. Furthermore it should be noted that this is an advertisement application, as planning permission was not required for the link units themselves.

External Consultees

- 8.4 **Transport for London (TfL):** No objection.
- 8.5 **Metropolitan Police:** With regards to the unit itself, the proposed unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes one of the most common issues with the TK, which is that a TK provides some shelter – which leads to anti-social use of the TK such as rough sleeping.
- No objection with regards to the advertisements themselves.

Internal Consultees

- 8.6 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.
- 8.7 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.

- 8.8 **Communications and Change:** No comment.
- 8.9 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.10 **Officers note:** Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.12 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity
- Highways Safety
- Other Matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.

- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent. Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

- (1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.*
- (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:

“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.

- 10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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 traYc 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.

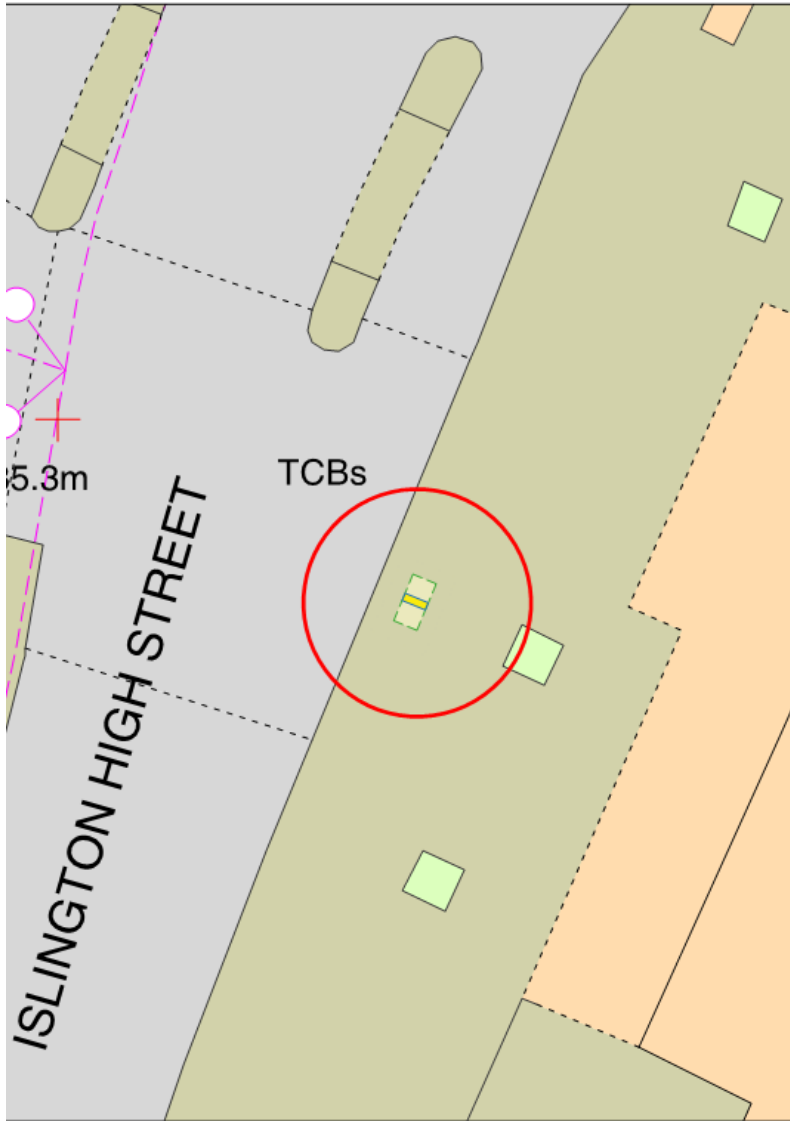
(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS5H (Angel & Upper Street) states that the area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of The Angel and its surroundings. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside 42 Islington High Street. The proposed link unit would replace two BT telephone boxes in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 The area immediately surrounding the site is commercial in nature. Islington High Street is a busy thoroughfare and the site is located at a busy intersection with Upper Street and Liverpool Street. Whilst The Angel Conservation Area is located some 20m away from the site to the north and west, the buildings on the east side of Islington High Street adjacent to the application site are modern in design and are of no particular cultural or historic merit. These buildings are 6 storeys high, with commercial units on the ground floor and a mix of commercial units and residential dwellings above. The closest listed building is 80m north of the site (80 Islington High Street). Consequently, the new displays would be seen in close association with nearby shops where a wide variety of signs are displayed, some of which are illuminated and in close

association with the 6 storey modern building behind. Illuminated advertisements are considered to be an appropriate form of development in principle in this urban commercial landscape.

- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be excessive in size, unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, or be out of scale in this commercial location. The following paragraphs consider the application on those grounds.
- 10.18 The site context is relevant here. The proposed advertisements would be lower in height than the shopfront fascia signs that sit behind and similar in height to the bus stop advertisements seen in various locations around the Borough. The site is located 60m north of Angel Station and there is a large proliferation of street furniture, including bus stops, street signs, kiosks and adverts immediately outside the station. It should also be noted that an application for a link unit immediately outside Angel Tube station was deemed unacceptable owing to the proliferation of street clutter in the immediate area outside the station. The backdrop of the proposed advertisements includes a 6 storey building and commercial premises and the advertisements would not appear excessive in size or out of scale with the surroundings in this context. In addition, the pavement is relatively wide in this location, providing relief between the advertisement and the carriageway. Overall, it is considered that the advertisements would appear modest in size and height and would be in keeping with the scale of the surrounding built form. They would as such neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.
- 10.19 A condition is recommended that would require the removal of the existing phone box prior to commencement of the works. Therefore there would as such be a net loss in the amount of street furniture or clutter in the immediate vicinity. Indeed, the development would improve the overall appearance of the streetscene in that it would secure, if implemented, the removal of an unused, unsightly phone box which attracts anti-social behaviour and the installation of a sleeker structure with a reduced footprint. The site plan below shows the location of the additions two phone boxes to be removed:



1. Photo Scale - 1:200

Image 7: Site plan showing the location of the additional 2 phone boxes which would be removed prior to commencement of the works.

- 10.20 It is important also to quantify the number of existing pavement adverts adjoining the site, in order to assess the visual impact of the addition of the 2 illuminated advertisements in this location and any consequential visual clutter. Some 75m to the north of the site, outside number 80 Islington High Street, is an internally illuminated bus stop. There is also an Infocus telephone box outside number 42 Islington High Street (within 5m of the application site) which has a non-illuminated advertisement on its northern elevation. The bus shelters 90m to the north of the site (on the opposite side of the road) also has an advert on its southern elevation which is illuminated.
- 10.21 Whilst both the bus stop and the proposed advertisement would be visible when viewed from north of the site on Islington High Street, there is a visual gap of 75m between the two. The Infocus advertisement is not visible at night. It is not considered for these reasons that the proposal when viewed from the north would result in unacceptable cumulative advertisement clutter. When viewed from the south, the proposed advert would be obscured by the existing street furniture outside Angel

Station and the proposal would result in no undue visual clutter when viewed from this direction.

- 10.22 It should also be noted in relation to clutter that a number of similar advertisement applications have been submitted to the council over recent months, some of which have been approved. Officers are aware of the advertisements which have been given approval but which have not yet been implemented and the location of these was a material consideration in the assessment of this application with regards to visual clutter. There are no approved but yet to be implemented illuminated advertisements within the vicinity of this application site
- 10.23 To avoid undue light spill, the intensity of the illumination of the advertisements would be secured by condition and would be 300 candelas per sqm between dusk and dawn and 2500 candelas during the day, in line with TfL guidance. The nearest residential occupiers are at first floor level at Ritson House. The proposed advertisements would be 5.7m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.24 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.25 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.26 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.27 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 1.1m from the vehicular carriageway, however there would be a distance of 8.7 metres between the application site and the closest building. This distance is considered sufficient to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.
- 10.28 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.29 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in

close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.

- 10.30 The proposed signage would be located to the south of a bus stop. TfL have advised that they have no strategic transport objections in respect of bus operations, subject to conditions which reduce the impact of the proposals, which are attached.
- 10.31 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the existing phone box and would reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with TfL standards.
- 10.32 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that this causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. The locations of similar applications, which have been approved but not yet implemented, have formed an integral part of the assessment of this application. There are no advertisement applications which have been approved but not implemented within the vicinity of this site.
- 10.33 Transport for London raised no objections to the proposed advertisements, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.34 It should also be noted that the councils Environmental Development and Projects team have raised concerns with regards to the proper maintenance of the Link Units themselves. Whilst these concerns are noted and the applicant in their Design and Access statement resolve to maintain the units on a regular basis, to condition this would be outside of the control of the planning authority in relation to the advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, the carriageway and footway must be kept clear.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and

the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent shall be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
2	Placement
	<p>CONDITION: No advertisement shall be sited or displayed so as to</p> <ul style="list-style-type: none">(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 <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007</p>
4	Maintenance (safe condition)
	<p>CONDITION: Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>CONDITION: 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.</p> <p>REASON: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>

6	Luminance
	<p>CONDITION: The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
8	Visual Effects
	<p>CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
9	Special Effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
10	Installation and Maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and 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.</p> <p>REASON: In the interests of highway safety.</p>
11	Removal of Existing Phone Boxes
	<p>CONDITION: The advertisement hereby permitted shall not be commenced until the existing BT phone boxes shown on Plan No: PY2920-001 are removed in their entirety.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 5 – Angel & Upper Street
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.6 - Advertisements
Policy DM8.2 – Managing transport impacts

4. Designations

Islington Village & Manor House Archaeological Priority Area
Angel & Upper Street Core Strategy Key Area
Central Activities Zone
Strategic Cycle Route
Mayors Protected Vista – Alexandra Palace viewing Terrace to St Paul's Cathedral
Rail Safeguarding Area – Crossrail 2
Angel Town Centre
Within 100m of TLRN Road
Within 50m of The Angel Conservation Area

5. SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department

PLANNING SUB-COMMITTEE A		
Date:	3rd July 2017	NON-EXEMPT

Application number	P2017/0550/ADV
Application type	Advertisement Consent
Ward	Highbury West Ward
Listed building	Not listed
Conservation area	N/A
Development Plan Context	Highbury Corner and Holloway Key Area Within 50m of St Mary Magdalenes Conservation Area
Licensing Implications	None
Site Address	Pavement outside The Graduate Centre, 166 - 220 Holloway Road, London, N7
Proposal	Installation of a free standing internet/wifi/ telephone structure known as a 'link unit', with internally illuminated advertisement screens to two sides.

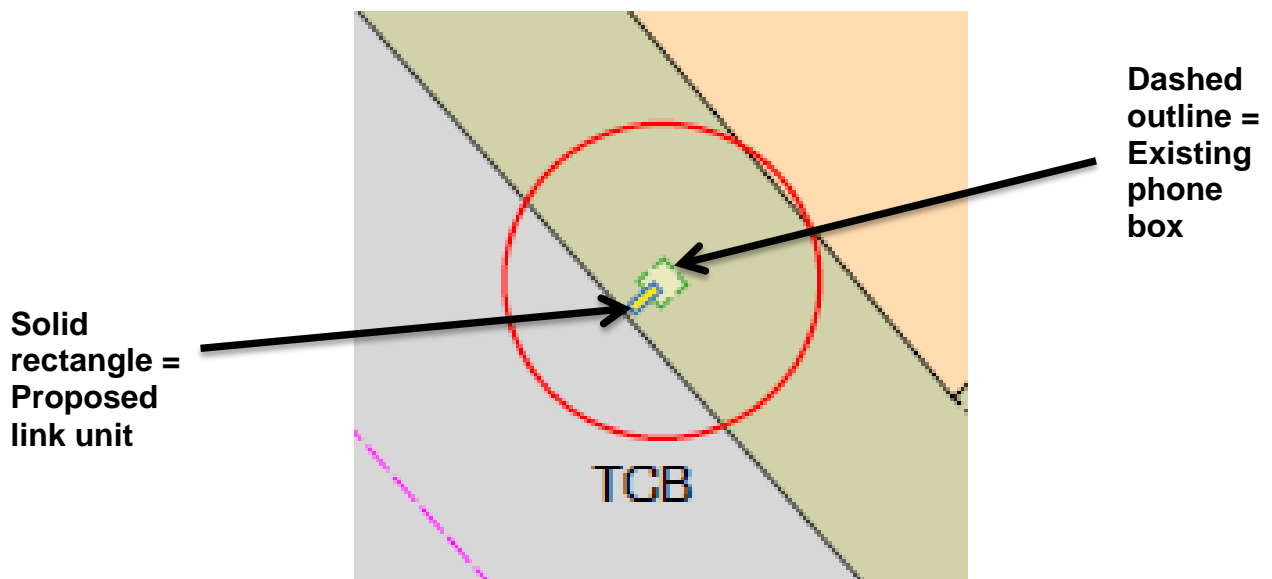
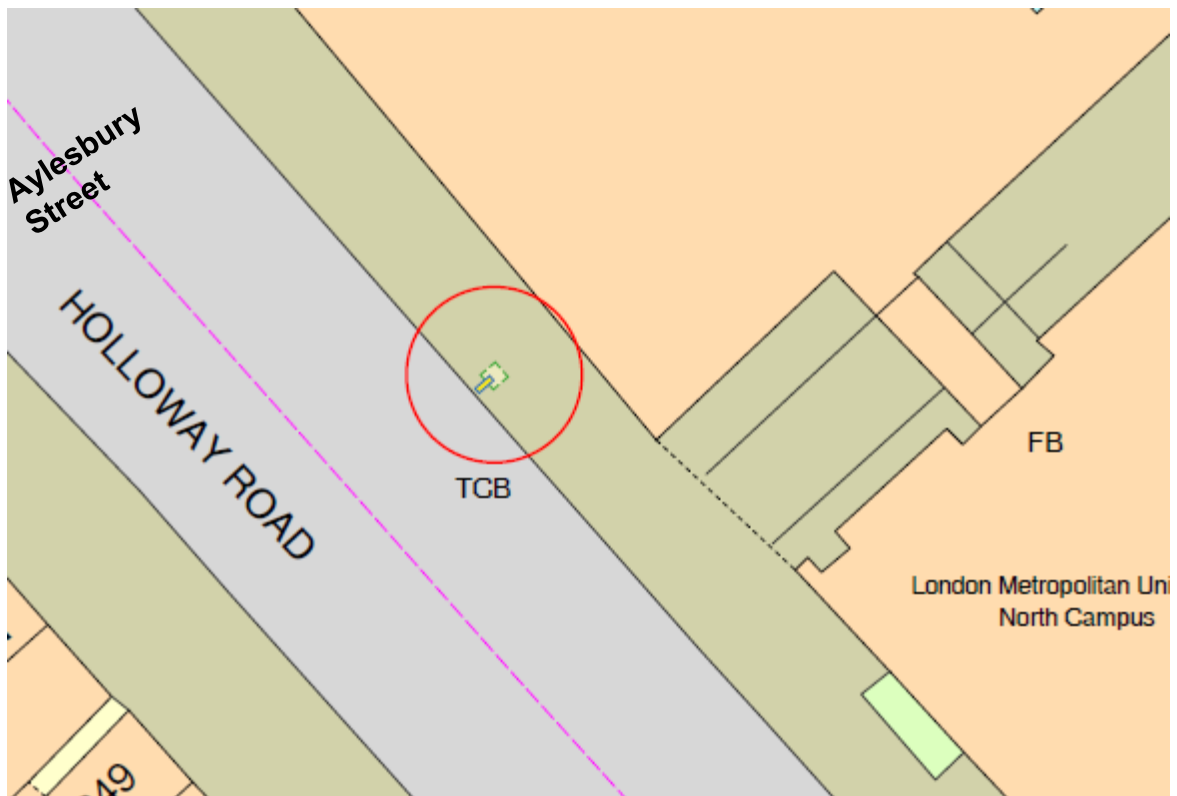
Case Officer	Sally Fraser
Applicant	Mr Neil Scoresby (BT)
Agent	Mr Matt Swindles (Primesight Ltd)

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** advertisement consent:

1. Subject to the conditions set out in Appendix 1.

2. SITE LOCATION (site circled in black)



3. PHOTOS OF SITE/STREET



Image 1: View of the site looking north along Holloway Road



Image 2: View of the site looking south along Holloway Road



Image 3: Existing Photograph of Site and Proposed CGI Views of Site

4. SUMMARY

- 4.1 This application forms part of a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic internet/wifi/ telephone structures known as 'link units'. A total of 63 advertisement consent applications for these link units have been submitted for various sites across Islington; 11 are recommended for approval and 52 were recommended for refusal but have subsequently been withdrawn by the applicant.
- 4.2 The new telephone link units would contain internally illuminated advertisements to two sides. Planning permission is not required for the link unit structures themselves; however advertisement consent is required for illuminated advertisement screens. The application is brought to committee at Councillor Klute's request.
- 4.3 Each application proposes the removal of at least two existing BT phone boxes, which would be secured via a condition on the consent.
- 4.4 This application requests advertisement consent for the 2no. advertisement screens which would be attached to a new link unit which would be located on the site of an existing BT telephone box outside the Graduate Centre on Holloway Road. The proposal includes the removal of the existing phone box on the site and additionally the removal of a BT phone box on the west side of Holloway Road, opposite the site, making a total of two phone boxes to be removed in total.
- 4.5 The main issues arising from this advertisement consent application are the impact of the advertisements on amenity and highways safety.
- 4.6 It is considered, given the commercial character of the area, the presence of adjacent internally illuminated shopfront fascia signs, the scale and modern appearance of surrounding built form and the location of the site which is not within a conservation area or within the setting of any heritage assets, that the proposed advertisements, by

reason of their size, height, siting and method of illumination, would have an acceptable impact on the visual amenity of the locality.

- 4.7 The advertisements, by reason of their placement away from residential windows and restricted luminance at night would not result in any undue light pollution to the neighbouring occupiers. With regards to public safety, the advertisements, by reason of their distance from other illuminated pavement advertisements and subject to conditions restricting the frequency, type and luminance of the displays, would have an acceptable impact on the safety of users of the footway and carriageway.
- 4.8 For the above reasons the recommendation to the sub-committee is to resolve to grant advertisement consent subject to planning conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is the pavement outside the Graduate Centre on Holloway Road. The site is currently occupied by a BT telephone box. This part of Holloway Road is mixed commercial and residential in character, with building heights ranging between 3 and 6 storeys. Immediately behind the site lies the modern, metal clad Graduate Centre and to the western side of Holloway Road, ground floor commercial frontages with residential dwellings above.
- 5.2 Whilst the site itself is not located within a conservation area, the land approximately 20m to the south of the site and the land on the west side of Holloway Road, is located within the St Mary Magdalene conservation area. There are no listed buildings in the immediate vicinity.

6. PROPOSAL (in Detail)

- 6.1 Advertisement consent is sought for the installation of two internally illuminated advertisement screens, which would attach to either side of a freestanding internet/wifi/telephone structure known as a 'link unit'.
- 6.2 The proposed link unit itself would be a 'monolithic' structure which would replace the existing BT phone box. The new structure would be in the same location as the existing phone box, except that it would be 0.5m closer to the carriageway, as indicated on the site location plan and photographs above.
- 6.3 The structure would measure 0.787 metres in width at the ground level and 0.889 metres in width at the top of the unit. It would have an overall depth of 0.28 metres and would measure 2.9 metres in height, with a touch screen and key pad to facilitate free UK landline and mobile phone calls, Wi-Fi and emergency and civic services.



Image 5: Design of proposed link unit

- 6.4 The proposed internally illuminated advertisements would be located to either side of the link unit structure at a height of 1.35 metres above ground level. The proposed adverts would measure 1.215 metres in height and 0.689 metres in width. It is proposed that the illumination levels will be a maximum of 2,500cd/m during the day and will be reduced to 300cd/m between dawn and dusk.
- 6.5 The removal of the existing phone box would be secured by a condition on the consent, as would the removal of one additional phone box on the west side of Holloway Road, opposite the site.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

Within the immediate vicinity of the site

- 7.1 None

Within 100m of the site

- 7.2 P2016/3769/ADV (outside 241 Holloway Road- opposite the site on the west side of Holloway Road): Replacement telephone kiosk with 2no. associated internally illuminated digital display panels (New world kiosk). Allowed on appeal 21/03/2017. Not implemented
- 7.3 P070418 (outside 257 Holloway Road opposite the site): Installation of a non-illuminated advert panel to replacement payphone kiosk. Refused 19/03/2007 and dismissed at appeal.

- 7.4 P112544 (Outside London Metropolitan University- 35m north of the site): Display of a double sided internally illuminated advertisement to relocated bus shelter. Approved 22/12/2011. Implemented.
- 7.5 990303 (Bus shelter outside 164 Holloway Road- 80m from the site): Installation of two illuminated poster panels on new bus shelter. Approved 23/03/1999. Implemented

ENFORCEMENT:

- 7.6 None.

PRE-APPLICATION ADVICE:

- 7.7 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on Holloway Road and Benwell Road on 6 March 2017. A site notice was also displayed on 9 March 2017. The public consultation on the application ended on 30 March 2017.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report no objections had been received from the public with regard to the application.

External Consultees

- 8.3 **Transport for London (TfL):** No objection on public safety grounds, subject to relevant conditions.
- 8.4 **Metropolitan Police:** With regards to the kiosk itself- The unit would be on an arterial route and would not block any sight lines or have a negative impact on natural surveillance. The overall design is a significant improvement on the existing Telephone Kiosk as it removes the element of a shelter – which leads to anti-social uses such as rough sleeping.
- 8.5 No objection with regards to the advertisements themselves.

Internal Consultees

- 8.6 **Design and Conservation:** The advertisements would, by reason of their excessive size and height above ground level height, their prominent siting adjacent to the highway and the proposed internally method of illumination, would be highly visible when viewed from the public realm, drawing the eye to them and detracting from the surrounding building/ street scape. The advertisements would, as such, be detrimental to the visual amenity of the area and would result in unacceptable visual clutter.
- 8.7 **Economic Development and Projects:** Raised concerns regarding the lack of information regarding the method of access/ frequency of servicing of the link units and the impact that servicing may have on the safe and efficient operation of the transport infrastructure.
- 8.8 **Communications and Change:** No comment.

- 8.9 **Environment, Policy, Pollution and Projects:** With regards to light nuisance, the EPPP team advise that light levels from the illuminated adverts should follow the guidance in the 'Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals' to avoid light spill.
- 8.10 Officers note: Daytime luminance levels would be restricted by condition to 2500 cdm², in line with the Professional Lighting Guide. Night time luminance levels would be restricted by condition to 300cdm², which is half as bright as the 600cdm² advised in the Professional Lighting Guide.

Interested Parties

- 8.11 **The Islington Society:** Concern relating to the difficulties of managing the large volume of similar advertisement applications being submitted to the council. Objection to the size, prominent siting and additional street clutter that the advertisements would cause. The 'public services' provided by the kiosks are overstated
- 8.12 **Better Archway Forum:** The advertisements are inappropriately large and unnecessary to provide the public services offered by the kiosks. Potential for an increase in antisocial behaviour and phone snatching. The structures themselves are higher than the existing phone boxes they would replace and are excessive in size. Concern that the kiosks would not be properly maintained.

9. RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

National Policy and Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Background
- Legislation
- Amenity

- Highways Safety
- Other matters

Background

- 10.2 This application forms part a wider scheme across London to replace traditional British Telecom telephone boxes with new monolithic telephone structures known as 'link units'. The link units would contain internally illuminated advertisements on two sides.
- 10.3 The existing phone boxes are in a dilapidated state of repair. They are prone to graffiti and their enclosed design provokes anti-social behaviour. The street facing elevations of the boxes display non-illuminated advertisements. However these are not protected by an outer protective casing and as such are prone to peeling off, which adds to their undesirable appearance. The phone boxes, being located on the pavement, are highly visible to users of the pavement and carriageway and, in their current condition; do not contribute in a positive manner towards the character and appearance of the street scene.
- 10.4 The proposed link units, unlike the phone boxes they would replace, would not be enclosed and for this reason the metropolitan police have stated that the overall design would be a significant improvement, as it would remove some of the most common issues surrounding the standard telephone boxes, including anti-social behaviour and rough sleeping.
- 10.5 The proposed link units would provide a far greater range of services to the public than the phone boxes they would replace. Users can make free telephone calls to UK landline and mobile numbers using the touchscreen and keypad. A loudspeaker is integrated into the device, or for more private calls headphones can be used. Mobile phone users can link into the unit's public Wi-Fi, which would have a radius spread of 45m. There would be 2 USP ports for mobile phone charging and a 'one touch' emergency services button. The touchscreen can be used to access maps, directions and local services. Additionally, the touch screen would be sited at 1220m above ground level and would therefore be fully wheelchair accessible.
- 10.6 The link units would contain digital display advertisements on two sides. These advertisements are the subject of this application and would produce the revenue required to fund the free services provided to the public. The applicant's agent has confirmed that 5% of the 'advertisement space' would be available, free of charge, for the local authority to advertise public services.

Legislation

- 10.7 Whilst the above summary explains the background to the scheme, it is important to note that the link unit structure itself does not require planning permission. This is outlined in Part 16 of Schedule 2 Class A A.1 (7) of the General Permitted Development Order (2016), which states that permission is required for development consisting of the installation, alteration or replacement of any electronic communications apparatus, other than (c) a public call box (providing that the ground or base area of the structure would measure less than 1.5sqm). In this regard, the link unit structure forms permitted development.
- 10.8 The legislation relevant to the assessment and determination of applications for Advertisement Consent is the 'Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)'. These regulations make clear that not all advertisements require 'express consent', otherwise known as Advertisement Consent.

Schedule 3 'Classes of Advertisement for which deemed consent is granted' sets out those instances where advertisement consent is not required. Part 1 'Specified Classes and Conditions', Class 16 'Advertisements on telephone kiosks' wording is set out below, however, the advertisements proposed here do not fall under this class because they would be illuminated, nor do they fall under any other class in Schedule 3 or Schedule 1 of the regulations. Express consent for the advertisements is therefore required.

Class 16 and Conditions —

(1) No advertisement may be displayed in an Area of Outstanding Natural Limitations 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.

(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:

“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.

10.9 Regulation 3 of Part 1 requires that local planning authorities assess applications for express consent in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and other relevant factors. An excerpt of the regulation is set out below:

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)—

(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.

Amenity

- 10.10 Amenity, as defined by the Advert Regulations, includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural interest.
- 10.11 The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity as well as public safety, taking account of cumulative impacts.
- 10.12 Local policy reinforces the legislation and national policy aims. Core Strategy policy CS4 (Highbury Corner and Holloway Road) states that the design of future development along this stretch of Holloway Road will be of the highest quality to improve the pedestrian environment and general quality of the area. Core strategy policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment.
- 10.13 Development Management policy DM6.2 states that advertisements are required to be of the highest possible standard and contribute to an attractive environment. They must not contribute to clutter or a loss of amenity and should be sensitive in visual appearance to its siting and the surrounding street scene. Signage should also not cause visual intrusion by virtue of light pollution into adjoining residential properties.
- 10.14 This application proposes the addition of two advertisement panels, located on the northern and southern elevations of a new link unit which would be sited outside the Graduate Centre on Holloway Road. The proposed link unit would replace a BT telephone box in the same location.
- 10.15 The proposed advertisements would differ from those on the existing phone box in that they would be internally illuminated with digital displays. The advertisements would be 689mm wide and 1215mm high and would be sited 1.35m above ground level.
- 10.16 Holloway Road is a busy thoroughfare and, whilst Mary Magdalene conservation area lies some 20m to the south and west of the site, the area immediately surrounding the site is commercial in nature and characterised by modern and traditional buildings between 3 and 5 storeys in height. The eastern side of Holloway Road is dominated by the modern, metal clad monolithic structure which accommodates the Graduate Centre. The western side of Holloway Road comprises of commercial ground floor units with illuminated fascia signage and residential dwellings above. None of the built form surrounding the site has any particular cultural or historic merit and there are no listed buildings in the immediate vicinity. Consequently, the new digital displays would be seen in the context of the considerable mass of built form which constitutes the graduate Centre and the shopfronts to the west, which exhibit a wide variety of illuminated and non-illuminated signage. The addition of illuminated advertisements within this urban commercial landscape is an acceptable form of development in

principle and in particular would be in keeping with the materials and style of the adjoining Graduate Centre.

- 10.17 With regards to an assessment of the size, siting and height of the adverts, the councils Design and Conservation officer considers that the adverts would be unduly visually prominent and out of keeping with the street scene. Whilst the concerns of the officer are noted and were duly considered in the assessing the application, it is not agreed that the advertisements would lead to undue visual clutter, nor that they would be out of scale in this commercial location. The following paragraphs consider the application on these grounds.
- 10.18 The proposed advertisements would be lower in height than the ground floor fascia level signage on the west side of Holloway Road and significantly lower than the height of the built form in the vicinity. In addition, the pavement is relatively wide in this location, which would provide relief between the advertisements and the Graduate Centre. The proposed advertisements would be sited 0.5m away from the edge of the carriageway which, whilst closer than the existing phone box, would still constitute a visible gap. Given the height of adjoining buildings, the width of the pavement and the commercial nature of the area, the advertisements would not appear excessive in height or size, nor would they appear out of scale with the surrounding development in this context.
- 10.19 A condition is recommended that would require the removal of the existing phone box on the site prior to commencement of the works and also the removal of an additional phone box opposite the site on the western side of Holloway Road, prior to the commencement of the works. There would as such be a net loss in the amount of street furniture, and therefore clutter, in the immediate vicinity of the site and the wider Holloway Road street scene. Below is a site plan showing the location of the additional phone box to be removed:

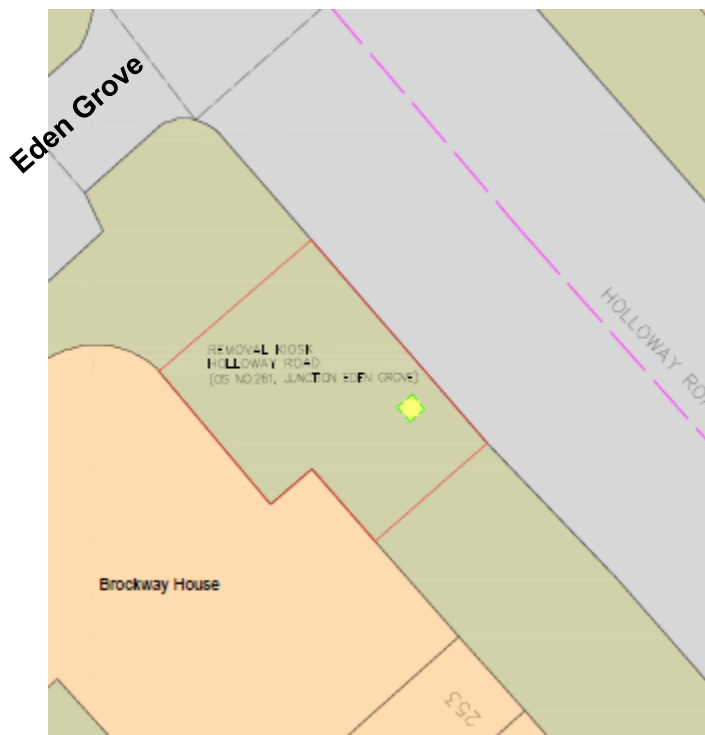


Image 6: Site plan showing the location of the additional phone box which would be removed prior to commencement of the works.

As such, the development would improve the appearance of the streetscene in that it would secure, if implemented, the removal of two unused, unsightly phone boxes which attract anti-social behaviour and replace them with a single structure with a smaller footprint than a traditional phone box.

- 10.20 Also of importance in the assessment of this application is the number of existing pavement advertisements in the vicinity of the site and the subsequent impact that the development would have on advertisement clutter.
- 10.21 in this regard, there is an internally illuminated bus stop advertisement 35m to the north of the application site. Whilst both this bus stop advert and the proposed advertisements would be visible from the carriageway when traveling north and south along Holloway Road, the significant gap between the two ensures that the proposal would not lead to unacceptable advertisement clutter. Also relevant here is the illuminated advertisements allowed on appeal but not yet implemented, directly opposite the site. The Inspector in their decision on that application considered that the advertisement was appropriate given the commercial character of the area and given the existing signage.
- 10.22 It is not considered that the cumulative impact of the existing signage, approved but yet to be built signage and proposed signage would be unacceptable in this commercial landscape. The proposed advertisements would neither dominate the street scene nor appear unduly obtrusive in light of the existing illuminated street furniture and shopfronts.
- 10.23 To avoid undue light spill, the intensity of the illumination of the advertisements, as secured by condition, would be 300 cdm² between dusk and dawn and 2500cdm² during the day, in line with TfL guidance. The nearest residential occupiers are opposite the site on the western side of Holloway Road. The proposed advertisements would be 30m from these flats and would not directly face the windows, being at right angles to them. The proposal, given these factors and with appropriate conditions restricting luminance, would not cause any undue light pollution to the adjacent occupiers.
- 10.24 Overall the proposed advertisement would be appropriate in size and design in this commercial context and would not result in undue light pollution to the adjacent occupiers, in compliance with the Advert Regulations and policies DM2.1 and DM2.6 of the Development Management Policies 2013.

Highways safety

- 10.25 The Advertisement Regulations state that factors relevant to public safety include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign and 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.
- 10.26 Development Management policy DM2.6 reflects these aims, stating the advertisements must contribute to a safe environment and must not cause a safety hazard to pedestrians or road users.
- 10.27 The proposed advertisements would be positioned on the footway so that, at their closest point, they would be no less than 0.45m from the vehicular carriageway. This

distance is considered sufficient by Transport for London to avoid the structure creating a visual or physical obstacle for vehicle users. No sightlines or clearances would be affected.

- 10.28 The proposed advertisements, as secured by condition, would have no flashing illumination and would have an LED backlit display brightness which would be adjusted to suit the day/night ambient levels. Luminance candescence would be secured by condition and would be 300 Cd/m² at night. Night time levels of luminance are based on the luminance of other signs and surfaces such as floodlit buildings in the area. Furthermore, conditions are attached to restrict the display of moving images and visual effects and transitions, to ensure that the advertisements would not be unduly distracting to the drivers of passing vehicles.
- 10.29 The proposed advertisement would not conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges. There are no speed or security cameras in close proximity to the proposed signs. It is considered that drivers would not therefore be unduly distracted by the proposed sign which may cause public safety issues, nor would the advert obscure or hinder the ready interpretation of any traffic sign. In addition the geometry of the road is not complicated and the driving conditions are not considered to be demanding or complicated.
- 10.30 There are no other pavement advertisements on the west side of Holloway Road within the immediate locality of the site. There are also no advertisements which have been granted consent but which have not yet been implemented, within the locality of the site. It is not considered as such that the proposal would cause any confusion of interference to road users.
- 10.31 The proposed link unit would be sited in the same location as the existing telephone box and would as such cause no additional hazards for pavement users. The structure would in fact have a smaller footprint than the two existing phone boxes it would replace and would as such reduce pavement clutter and enhance pedestrian flow. In addition, the positioning of the proposal on the pavement would retain a clear footway width of 2.4m, in compliance with TfL standards.
- 10.32 Concern has been raised by the councils Lighting and Streetworks Team with regards to the 'proliferation' of similar advertisement applications which have been submitted to the local planning authority recently and the difficulty that causes in properly assessing the cumulative impacts on highways obstruction grounds. This is a relevant concern and the authority has indeed dealt recently with a number of similar applications throughout the Borough. As addressed in para 10.30 above, there are no advertisements within the vicinity which have been approved but not implemented. It should also be noted that, for completeness, section 7 of this report cites every application for pavement advertisements which has been submitted to the council within the past 20 years and notes whether the application has been approved or refused.
- 10.33 Transport for London have raised no objections to the proposed advertisements on Highways Safety grounds, subject to conditions, and it is considered that the proposal would have an acceptable impact on the public's safe and unobstructed use of the pavement and carriageway. The proposal would comply with the Advert Regulations and Development Management policy DM2.6.

Other matters

- 10.34 It should be noted that the councils Environmental Development and Projects team have raised concerns with regards to the maintenance arrangements in relation to the link unit structures and specifically how the maintenance arrangements may impact on the safe and proper operation of the transport infrastructure. Whilst these concerns are noted, issues surrounding the maintenance of the units themselves are outside of the control of the planning authority in relation to this advertisement application. It is a condition of the consent however, for the purposes of maintaining the adverts themselves, that the carriageway and footway must be kept clear.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The advertisement application has been assessed in terms of amenity and highways safety. Having taken into account the setting of the internally illuminated advertisement screens, their relationship to surrounding properties, proposed luminance levels, distance from existing heritage assets and impact on highways safety, the proposal is considered acceptable in this location.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1- RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions:

1	Ownership
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable 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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
3	Maintenance (visual amenity)
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007</p>
4	Maintenance (safe condition)
	<p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	Removal
	<p>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.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
6	Luminance
	<p>The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre from dawn until dusk.</p> <p>The levels of luminance on the digital signs should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within these limits.</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
7	Display Time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p>

	REASON: In the interests of visual amenity and highway safety.
8	Visual Effects
	CONDITION: No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method. Any sequential change between advertisements will take place over a period no greater than one second. REASON: In the interests of visual amenity and highway safety.
9	Special Effects
	CONDITION: Each advertisement shall be static. There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. REASON: In the interests of visual amenity and highway safety.
10	Installation and Maintenance
	CONDITION: The footway and carriageway on the TLRN and 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: In the interests of highway safety
11	Removal of Existing Phone Boxes
	CONDITION: The advertisement hereby permitted shall not be commenced until the 2 existing BT phone boxes shown on Plan No: PY2914 – 001 dated 16 th June 2017 are removed in their entirety. REASON: In the interests of visual amenity and highway safety.

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1. Legislation

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

2. National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

The National Planning Practice Guidance 2014 (online) is a material consideration which has been taken into account as part of the assessment of these proposals.

Other relevant guidance:

- Outdoor Advertisements and Signs: A Guide for Advertisers (June 2007)
- Transport London's Guidance for Digital Roadside Advertising (2013)
- Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals

3. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.5 Public realm

B) Islington Core Strategy 2011

Policy CS 4- Holloway Road and Highbury
Policy CS 9 - Protecting and enhancing Islington's built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design

Policy DM2.6 – Advertisements
Policy DM8.2 – Managing transport impacts

4 Designations

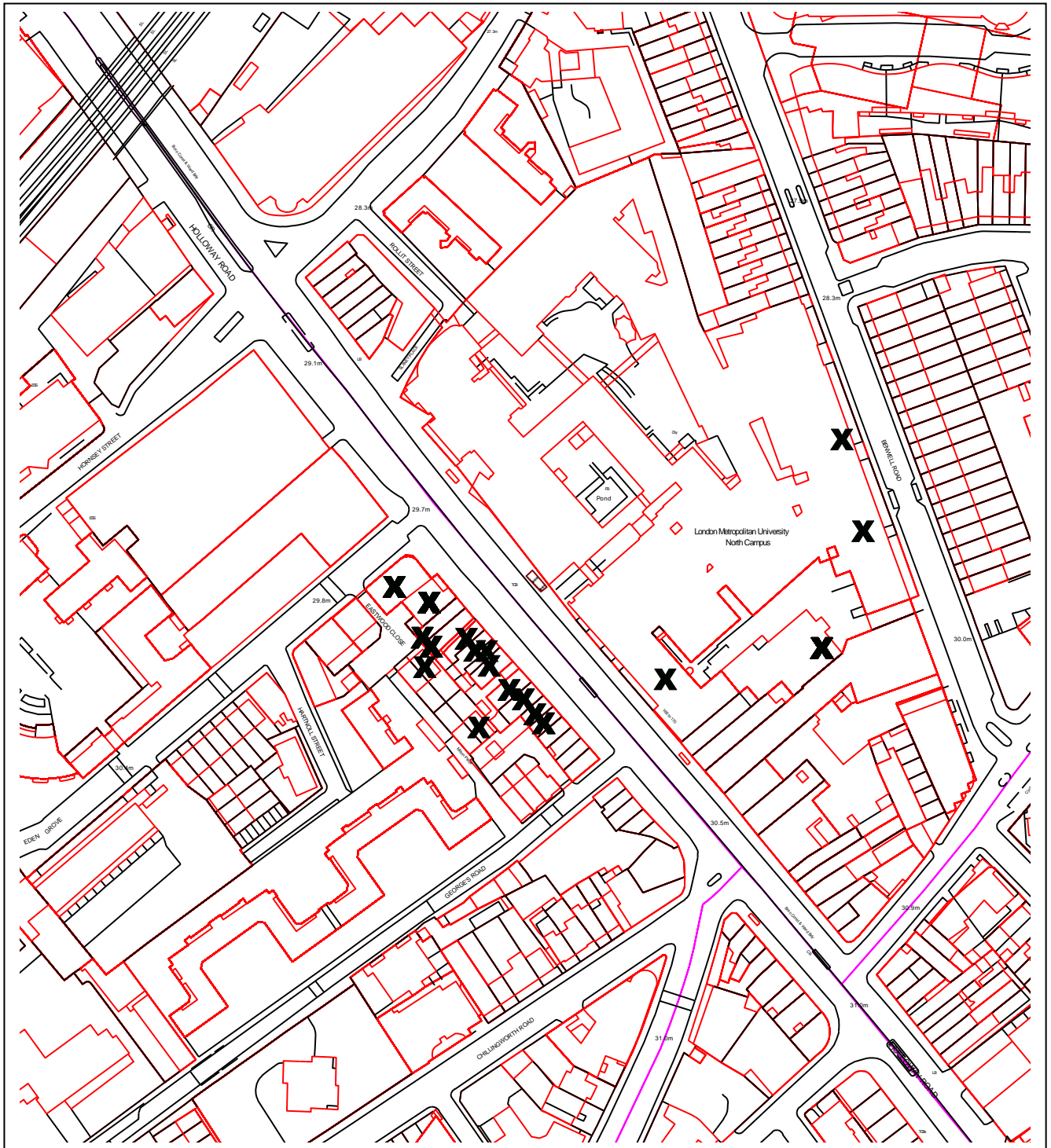
Within 100m of a SRN Road
Within 50m of St Mary Magdalene Conservation Area

5 SPD/SPGS

Urban Design Guide 2017
Streetbook 2012

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Islington SE GIS Print Template



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