LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/2843 **Ward:** Northumberland Park

Date received: 05/08/2016

Drawing number of plans: Map, Specification Document, Supporting Information

Address: Phone Kiosk O/S 838 High Road N17 0EY

Proposal: Display of 1 x internally illuminated digital display sign on kiosk

Applicant: Mr Matthew Coe - New World Payphones

Ownership: Private

Officer contact: David Farndon

2. RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This is an application for the display of 1 x internally illuminated digital display sign to the rear of a new phone kiosk (prior approval granted).

Site and Surroundings

The application site is located on the pavement in front of 838 High Road. The site is within the Tottenham High Road Historic Corridor (North Tottenham Conservation Area).

Relevant Planning and Enforcement history

HGY/2005/1603 REF 11-10-05 Payphone Outside 838 High Road: Replacement of existing payphone with ATM / payphone kiosk.

4. CONSULTATION RESPONSE

The following were consulted:

- LBH Transport Team – No comments received
- LBH Conservation – No comments received

- Councillor Bevan: I am concerned about this application, even more so because there is another phone kiosk just a few metres away.

I note the plans to move the kiosk nearer to the kerb line and I am wondering if this is to ensure more views to be seen of the proposed advert/s

I am also aware that many phone kiosks are retained these days for the advertising revenue rather than for telecommunications use.

It is my understanding that this is within the conservation area and I am requesting input from the Conservation Officer before the decision is made.

I am myself seeking rejection of this proposal leading therefore I assume to the removal of this kiosk, this will assist in the decluttering of the street scene at this location.

JJ Best (Tottenham Conservation Are Advisory Committee):

I submit this objection behalf of Tottenham Conservation Area Advisory Committee (TCAAC).

One can acknowledge that, to a certain extent, the proposed new kiosk will be an improvement on the old version. However, the TCAAC does not agree at all that the proposed digital advertising screen will 'smarten' the kiosk's image. Such a screen will do exactly the opposite and detract from the streetscape by adding unnecessary visual clutter to the Tottenham Historic High Rd setting at a time when efforts are afoot to improve it. We do not need to remind the Planning Authority that it's own policy documents seek to use the character of the Historic Corridor setting to aid regeneration (AAP5).

The TCAAC objects to the inclusion of any digital advertising screen as this location. Not only is the kiosk located within the North Tottenham conservation area, but it is also located within the boundaries of the Townscape Heritage Initiative sub-area that is undergoing important conservation interventions to improve heritage aspects of the street scape.

The applicant has failed to acknowledge any of this!

The TCAAC refers the Planning Authority to the Conservation Area Management Plan for the North Tottenham THI adopted by Haringey Council on 19th Dec 2014 in which the planning guidance is quite specific. Section 3.4 states that 'Outdoor advertisements are detrimental to the character of the THI sub area and should not be permitted'. It also mentions other strategies using terms such as 'stop the rot'. These are quite clear and severe words!

We further refer to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to which the applicant refers in its supporting information statement. These regulations (see extract below) are quite specific concerning telephone kiosks located in conservation areas, in stating that ads should not be displayed and that illumination is not permitted. A digital screen will be for advertising and would be illuminated!

Ideally the kiosk should be removed to reduce street clutter to a minimum. If there is some ¿social basis¿ for maintaining it, then it should be on the condition that there is NO DIGITAL ADVERTISING DISPLAY and that the design enhance the heritage setting.

Extract:

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 ¿Class 16 – Advertisements on telephone kiosks

Description

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

Conditions and Limitations

16.
(1) No advertisement may be displayed in an Area of Outstanding Natural Beauty, a conservation area, a National Park, the Broads or an area of special control.

(2) Illumination is not permitted.

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

(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.

5. LOCAL REPRESENTATIONS

No neighbour responses received

6. MATERIAL PLANNING CONSIDERATIONS

Regulation 3(1) of The Town and Country Planning (Control of Advertisement) Regulations 2007 states that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

Circular 03/2007 clarifies how amenity and public safety should be interpreted. Specifically, it advises that the definition of "amenity" includes both visual and aural amenity. Therefore as well as visual amenity, the noise generated by advertisements should be considered. "Public safety" is not confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed cameras and security cameras by advertisements is now included.

The NPPF states in Paragraph 67 that "Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The main considerations in the assessment of this application are therefore amenity and public safety. In this respect Saved UDP (2006) Policy UD10 states that advertisements will be granted consent provided they do not cause a public safety hazard or a loss of amenity. Schemes should meet of the following criteria:
a) being of a high quality and sensitive to its visual appearance on the building on which it is to be sited and the surrounding street scene, especially in the case of listed buildings and conservation areas;
b) not contributing to an unsightly proliferation or clutter of signage in the vicinity;
c) being sited so as not to cause a hazard to pedestrians or road users;
d) being sited so as not to cause visual intrusion by virtue of light pollution into adjoining residential properties; and
e) where appropriate, be constructed of materials and finishes which discourage both graffiti and flyposting.
Draft DM Policy DM3 'Public Realm' continues this approach.

6.1 Impact on Amenity

The proposed internally illuminated digital display sign will be sited immediately to the west of an existing box which will be removed. The High Road at this point is predominantly characterised by commercial units at ground floor level with residential above

The digital advertising display has been designed to automatically adjust luminance levels in accordance with ambient light levels to ensure that no light pollution will be created. The display has programmed "quiet times" during which the luminosity of the display will reduce to 280 cd/m2 in order to reduce light leakage affecting residential properties during night time hours.

It is noted that the proposed replacement telephone kiosk is within the designated Tottenham High Road Historic Corridor (North Tottenham Conservation Area). Whilst the existing telephone kiosk has a space for an advertisement on the glass panels on the door and both sides, as well potentially affixed to the rear, these spaces are for poster or vinyl advertisements that are neither digital nor illuminated. In contrast, the proposed advertisements would be digital and illuminated, with the sequential change of digital images increasing the prominence of the advertisements, thus exacerbating the harm of the advert to the visual amenity of the conservation area.

Whilst the risk of light pollution affecting nearby residences (mainly above commercial units) is mitigated by the programming of the digital display, the introduction of illuminated digital advertisements would be harmful to visual amenity and therefore contrary to the above policies.

6.2 Public safety

The proposed illuminated digital display will be affixed to the kiosk at a 90 degree angle to the highway. The digital advertising display has been designed with slow brightness changes to ensure that no glare risk will be created that might affect road users during night time hours.

The images to be displayed will be static and sequential with no full motion video. A smooth fade between changes to the 'copy' and a minimum display time of 10 seconds between the images to be displayed will ensure that the display does not create a dangerous distraction for road users that might otherwise create a public safety risk.

Whilst the part of the pavement on which the new kiosk will reside is nearer to the road and no longer in line with the street nearby street trees, the advert will not significantly hinder or impede pedestrian movement on this part of the footway.

6.3 Conclusion

Whilst no harm to public safety will result from the proposed advertisements this does not outweigh the harm to visual amenity created. The ability to use the screens to carry emergency public information and to provide discounted advertising for local busineses and charities is noted. However, such matters do not alter the conclusion in relation to visual amenity impact.

For the reasons given above, it is concluded that the advertisements would be detrimental to the interests of amenity and controlling the brightness or the frequency of the change of digital images would not overcome the harm created. Advertisement consent is therefore refused in accordance with Regulation 3(1) of The Town and Country Planning (Control of Advertisement) Regulations 2007, Circular 03/2007, Saved UDP (2006) Policy UD10 and Draft DM Policy DM3.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7.0 RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

Registered No. HGY/2016/2843

Applicant's drawing No.(s) Map, Specification Document, Supporting Information

The proposed advertisement, by reason of its size, location and design specification (illuminated digital display), would result in a visually incongruous addition in the streetscene and conservation area, resulting in a loss of visual amenity, contrary to paragraph 67 of the National Planning Policy Framework, saved policy UD10 of the Haringey Unitary Development Plan 2006 and policy DM3 of the Pre-Submission Version of the Development Management DPD January 2016.