

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 7 March 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Bryanston and Dorset Square	
<b>Subject of Report</b>	<b>Marylebone Flyover, London, ,</b>		
<b>Proposal</b>	Display of internally illuminated digital advertising unit (portrait unit) 7.5m high x 5m wide.		
<b>Agent</b>	Mr Thomas Johnston		
<b>On behalf of</b>	Mr Thomas Johnston		
<b>Registered Number</b>	16/10855/ADV	<b>Date amended/ completed</b>	14 November 2016
<b>Date Application Received</b>	14 November 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Outside a conservation area		

## 1. RECOMMENDATION

Grant conditional advertisement consent.

## 2. SUMMARY

The application site lies adjacent to the Marylebone Road at the point where it becomes the Westway and at the eastern end of the flyover. The site is on land owned by Transport for London and is at the rear of Edgware Road Underground Station (Metropolitan, District and Circle Line). The site lies outside a conservation area and there are no listed buildings in the immediate vicinity. The local environment could be described as harsh and has poor townscape qualities.

There are two advertisement hoardings already on the site: one at the western end which measures 12m x 2.5m and one at the eastern end which measures 6m x 3m. Both hoardings are internally illuminated and the base of both adverts is 2.8m above the footway. Consent was granted for advertisement hoardings on this site in 1987 and advertisement hoardings have been in this location since that time. The advertisement site at the eastern end of the site has two further relevant advertisement consents of recent date. Consent was granted as a delegated decision in January 2016 for a replacement internally illuminated digital advertising screen, which measured 6m x 3m and was 700mm higher than the current sign. A second application was refused by the Planning Applications Committee on 7 June 2016 for a replacement internally illuminated digital advertising screen, which measured 7.5m x 3m but which was in a portrait format, so was considerably higher than the current sign. This application was refused due to the size and height of the proposed screen. An appeal was lodged against this refusal and was subsequently allowed on 22 September

2016. The appeal decision included the following remarks: "Taken as a whole the area lacks a coherent architectural approach and has a somewhat unplanned and irregular character. Based on the above, I do not consider the area is particularly notable or sensitive in streetscape or amenity terms.....The height, scale and bulk would not be out of keeping with its surroundings which in my view are sufficiently robust to accommodate the hoarding."

With this planning history in mind, this current application relates to the replacement of the other advertisement which is at the western end of the site. The existing sign measures 12m x 3m and is in a landscape format and the proposed replacement digital sign would measure 7.5m x 5m, but would be in a portrait format, so would be significantly taller than the current sign, albeit no higher than the sign at the eastern end of the site, which was allowed on appeal. In addition to the change in scale and format, the new sign would be orientated so as to more directly face the westward travelling road traffic.

The section of the road onto which the sign faces forms part of Transport for London's Road Network. The consultation response received from TfL has confirmed that they have no objection to the principle of a replacement advertisement screen in this location, but they have requested that a number of conditions are imposed. These are similar to those imposed on the January 2016 and September 2016 consents.

As with the consideration of the portrait sign at the eastern end of the site there are concerns that the size and proportions of the new sign will have an adverse impact upon amenity.

Policy DES 8 of the UDP is the main policy relating to advertisements and this indicates that consent will be granted for signs that are well designed and sensitively located within the street scene, but also indicates that consent will not be granted for high level signs.

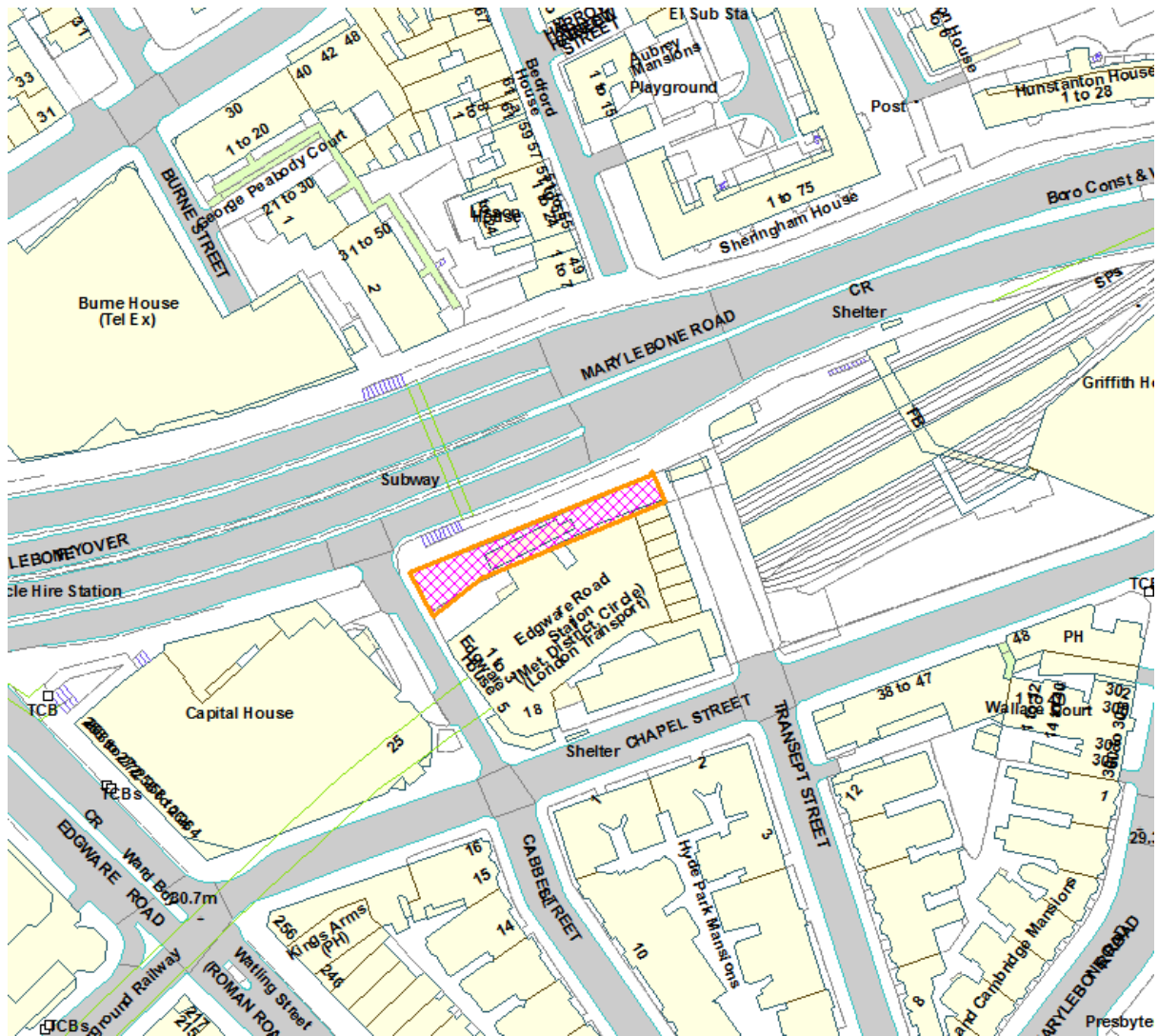
In this case, the existing and approved signs have as their backdrop the buildings to the south, namely the buildings on the south side of Chapel Street and also Capital House to the west and Griffith House to the east. This results in the signs sitting below these background buildings in most of the main views of the signs. By raising the height and changing the proportions of the sign, the proposed new sign will more prominently break above this backdrop and mean that the sign will become far more obtrusive and discordant within the townscape.

However, notwithstanding these concerns, the appeal decision to allow the sign at the eastern end of the site is a material consideration and there are very little differences between the two sites. Thus, with some regret, but on the basis of the analysis of the Planning Inspectorate, it is concluded that the proposal should be considered acceptable, having no adverse impact on amenity.

On the basis of the imposition of certain conditions Transport for London have raised no objection in principle to the advertisement and as such it is considered that the proposal would not raise public safety issues.

It is therefore recommended that conditional consent is granted.

### 3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



## 5. CONSULTATIONS

### THE ST MARYLEBONE SOCIETY:

No objection in principle, but would wish to see conditions imposed restricting speed of change to images, no moving images and control of brightness.

### PADDINGTON WATERWAYS & MAIDA VALE SOCIETY:

Objection. Regard the increase in height as being unnecessary and express concerns about highway safety.

### TRANSPORT FOR LONDON - BOROUGH PLANNING:

No objection in principle, subject to imposition of various conditions.

### HIGHWAYS PLANNING – DEVELOPMENT PLANNING:

Consider proposal acceptable on highways safety grounds, subject to the conditions suggested by TfL.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No consultation undertaken.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. RELEVANT PLANNING HISTORY

### 86/05002/ADV

ERECTION OF TWO 96 SHEET ULTRAVISION DISPLAY UNITS

Application Permitted                      4 March 1987

### 15/10677/ADV

Replacement of existing internally illuminated 6mx3m advertising display with an internally illuminated digital advertising unit.

Application Permitted                      26 January 2016

### 16/02445/ADV

Removal of existing internally illuminated 6m x 3m advertising display (landscape format), to be replaced with an internally illuminated digital advertising unit (portrait format) 7.5m x 5m.

Application Refused                      7 June 2016

Allowed on Appeal                      22 September 2016

(See background papers for copy of the appeal decision)

## 7. BACKGROUND PAPERS

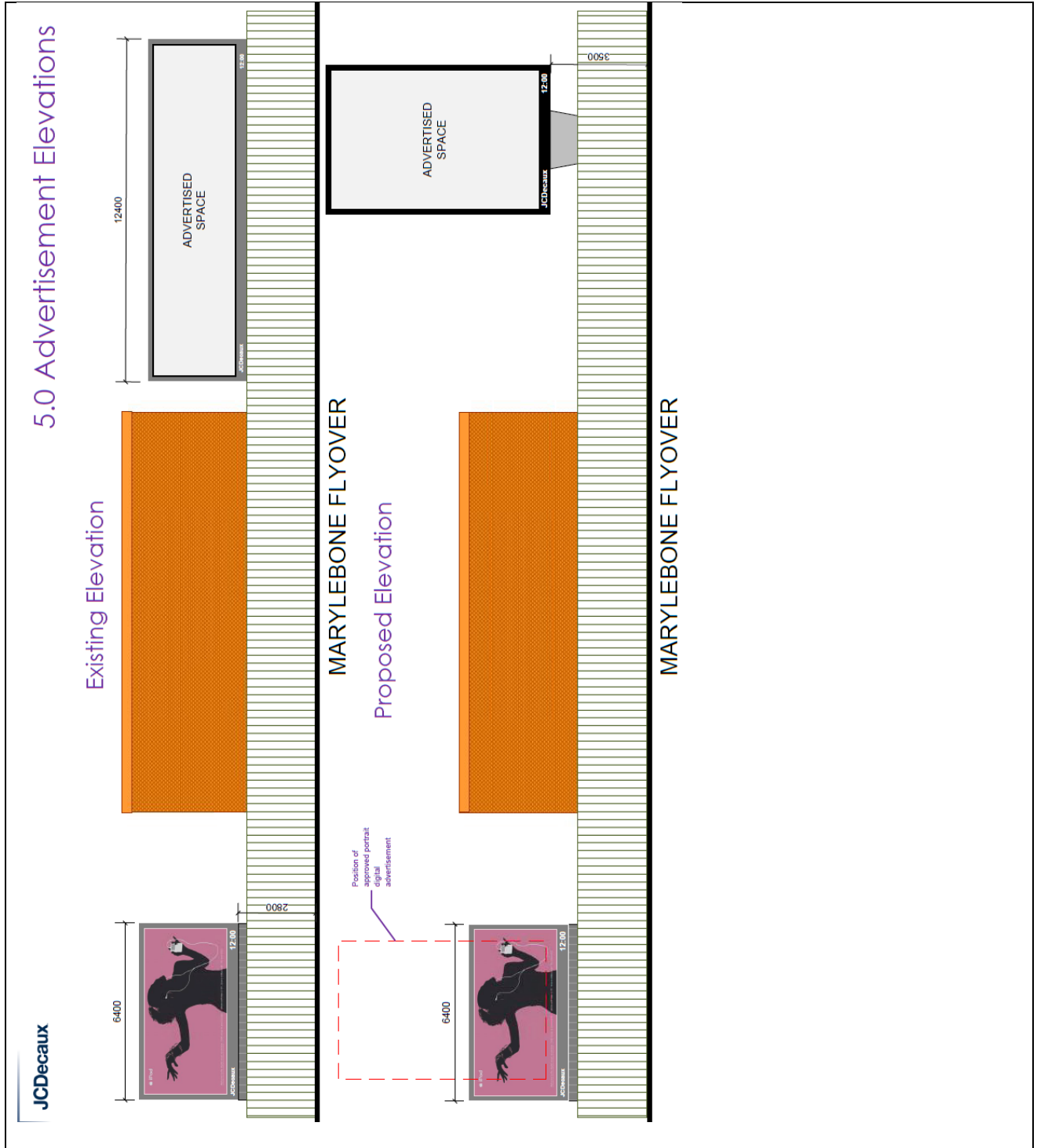
1. Application form
2. Appeal decision 22.09.2016 (16/02445/ADV)
3. Response from The St Marylebone Society, dated 13 December 2016

4. Response from Highways Planning - Development Planning, dated 31 January 2017
5. Response from Transport For London - Borough Planning, dated 1 December 2016
6. Response from Paddington Waterways & Maida Vale Society, dated 9 December 2016

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT [SWHITNALL@WESTMINSTER.GOV.UK](mailto:SWHITNALL@WESTMINSTER.GOV.UK)

### 8. KEY DRAWINGS



**DRAFT DECISION LETTER**

- Address:** Marylebone Flyover, London, ,
- Proposal:** Removal of existing internally illuminated 12m x 3m advertising display (landscape format), to be replaced with an internally illuminated digital advertising units (portrait unit) 7.5m x 5m wide.
- Reference:** 16/10855/ADV
- Plan Nos:** A01163 – document titled “Land at Marylebone Flyover / Cabbell Street – Advertising Proposal, Planning Submission”

**Case Officer:** Tom Burke

**Direct Tel. No.** 020 7641 2357

**Recommended Condition(s) and Reason(s)**

- 1 The intensity of the illumination of the digital sign shall not exceed 300cd/m<sup>2</sup> between dusk and dawn.
- Reason:  
In the interests of amenity and public safety.
- 2 The digital sign shall not display any moving, or apparently moving, images.
- Reason:  
In the interests of amenity and public safety.
- 3 The sequential advertisements on the digital sign shall not change more than once every 10 seconds.
- Reason:  
In the interests of amenity and public safety.
- 4 Any sequential change between advertisements on the digital sign will take place over a period no greater than one second.



Reason:

In the interests of amenity and public safety.

- 5 Day time levels of luminance on the digital sign should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output to within acceptable limits.

Reason:

In the interests of amenity and public safety.

- 6 The footway and carriageway must not be blocked during the installation and maintenance of the signage 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 public safety.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.