



ST GILES HOTEL

BEDFORD AVENUE, LONDON WC1B 3GH

DISPLAY OF DIGITAL DISPLAY SCREEN (6.0 x 39.8m) TO TOTTENHAM COURT ROAD
ELEVATION AT 1st AND 2nd FLOOR LEVEL

Application for advertisement consent reference: 2015/3210/A

11 July 2015

The Bloomsbury Association object to this application and wish to make the following comments:

1. The St Giles Hotel now occupies a building that was purpose-built in the early 1970's as a hostel and sports club for the YMCA. The YMCA has since sold the hostel to the St Giles Hotel whilst retaining the sports club for their own use. The St Giles Hotel and others with an interest in the building have ruthlessly sought to commercially exploit their asset to the full and have implemented a continuous programme of ad hoc additions to the building since taking ownership. The current proposal must therefore be regarded as following the pattern of previous development proposals seeking to establish a precedent for further commercial excesses regardless of their impact. The current proposal is not dissimilar to previous proposals that have been refused permission and other unauthorised developments against which enforcement action has either been taken or is currently pending.
2. The proposal might also be regarded as seeking to establish a wider precedent for changing the character of the new public space being created at St Giles Circus into a 24/7 destination on a par with Piccadilly Circus. The document accompanying the application states '*This proposal has been prepared by JCDecaux on behalf of the property owner of the St Giles Hotel*'. The applicant is not revealed but it is our understanding that the application may be submitted on behalf of Criterion Capital. Criterion Capital is a real estate asset manager that identifies, acquires, develops and manages real estate on behalf of long-term Investors. Their portfolio includes a number of buildings around Piccadilly Circus and Leicester Square, including The Trocadero.

To reinforce our belief that the proposal is seeking to change the character of the new public space the document goes on to describe the media wall: '*...feature lighting can be incorporated into the building façade to add vibrancy and visual interest not only to the building but also the area... The screen will appear as an integral part of the building and be used to display static images that will include commercial messages, public information and visual art to re-enforce the commercial and dynamic nature of this part of the West End, identifying the Circus as a memorable destination, a meeting place and a London focal point.*' We concur with Councillor Harrison's view that the Council's ambitions for Tottenham Court Road and the West End Project are to improve it and make it a pleasanter, less intense and more human place to be, not to turn it into Piccadilly Circus.

3. Camden's planning policy concerning advertisements is informed by DCLG guidance 'Outdoor advertisements and signs: a guide for advertisers' and by Camden Planning Guidance CPG1, Design.

In Section 8 of CPG1 Camden has formulated and adopted advertisement control policy statements, indicating what detailed considerations are regarded as relevant to their decisions on advertisement applications. These statements indicate the circumstances in which advertisements are likely to be permitted or refused and are a material factor in deciding the

application. This proposal fails to meet the issues described in sections 8.5-8.9 inclusive, 8.11-8.14 inclusive, 8.17 and 8.19 of this document.

In deciding an application, DCLG guidance states that the planning authority may consider only two issues in addition to local policy statements; these are described as the interests of amenity and public safety.

DCLG goes on to clarify: *'The terms 'amenity' and 'public safety' are not defined in detail in the advertisement control rules, although advice on these terms is given in Circular 03/2007 and PPG 19. Each planning authority (and the Secretary of State on appeal) must interpret what is meant by these expressions as they apply in particular cases. In practice, 'amenity' is usually understood to mean the effect upon visual and aural amenity in the immediate neighbourhood of displaying the advertisement, or using an advertisement site, where passers-by, or people living there, will be aware of the advertisement. So in assessing amenity, the planning authority will always consider the local characteristics of the neighbourhood. For example, if your advertisement will be displayed in a locality where there are important scenic, historic, architectural or cultural features, the planning authority will consider whether it is in scale and in keeping with these features. This might mean that the planning authority would refuse consent for a large poster-boarding which would visually dominate a group of 'listed' buildings. But where there are large buildings and main highways, for example in an industrial or commercial area of a major city, the planning authority may grant consent for large advertisements which would not adversely affect visual amenity in the neighbourhood of the site.*

It also means aural amenity, so any noise the advertisement makes will be taken into account before express consent is given.

'Public safety' means the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air. So, for this purpose, the planning authority must assess the likely effects of your advertisement in relation to such matters as the behaviour of drivers, possible confusion with any traffic sign or signal, or possible interference with a navigational light or aerial beacon. But the planning authority will assume that all advertisements are intended to attract people's attention, so that the advertisement you want to display would not automatically be regarded as a distraction to passers-by in vehicles or on foot. What matters is whether your advertisement, or the spot where you propose to site it, will be so distracting or so confusing that it creates a hazard for, or endangers, people who are taking reasonable care for their own and others' safety. When they are considering 'public safety' factors for your advertisement, the planning authority will normally consult other relevant bodies, for example the highway authority if your advertisement is alongside a major road.'

4. The proposal will have a significant impact on long distance views along Tottenham Court Road and Charing Cross Road, and from public spaces such as the new Plaza being created in front of Centre Point. Contrary to LDF policy, the proposal will be detrimental to the Bloomsbury, Hanway Street and Denmark Street Conservation Areas, particularly in its harmful intrusion into views from Great Russell Street, Bedford Avenue and along Charing Cross Road. Its scale and bulk will also have a damaging visual impact on important local views from adjacent Conservation Areas such as Soho and Covent Garden. It also detracts from the setting of a number of nearby listed buildings, including Lutyens' former YWCA building, Congress House, 5 and 8-12 Great Russell Street, The Dominion Theatre, 279 Tottenham Court Road, and Centre Point, together with 1 Tottenham Court Road and the adjoining 14-16 Oxford Street in Westminster. No evidence is provided with the application to justify such a dramatic change in the building's impact on London's streetscape. The crude drawings accompanying the application ignore the city context totally, which is so important in assessing the proposal and give a clear insight into the applicant's objectives.

We are surprised that the Council agreed to even register the application without any visual impact assessment including photomontage images from key viewpoints. The proposal cannot be adequately considered without this and the Council will be failing in its duty to approve the application on this basis, a decision that arguably would be invalid. Furthermore, we expect the Council to fulfil its duty to consult with other local authorities affected by the proposal before deciding the application and we are sure that Westminster City Council will not comment without seeing appropriate material.

The Council should seek an expert (and independent) opinion on the effect of the changed massing on London's streetscape.

5. Light pollution from the proposed media wall will impact on the amenity of residential buildings directly opposite the St Giles Hotel on Great Russell Street and Bedford Avenue. It may also have an effect on residential uses on Hanway Street

There is also a current proposal for a Public Art Plan, commissioned by Exemplar, Ashby Capital and Bedford Estates, to be integrated with the external façade of the adjoining development at 251-8 Tottenham Court Road and 1 Bedford Avenue as part of the Section 106 Agreement with its developer. We have commented on the concept proposal for this artwork, which in part is based on the subtle use of colour and light, the effect of which would be completely overwhelmed by the proposed media wall.

6. The proposal is damaging to the architectural integrity of the existing building. Like it or not, the building is a fine example of early 70's brutalism and, although much altered, it is a pity to spoil its architectural composition and the skilful stepped massing of its towers with such a tacky and aesthetically bland addition. We are particularly concerned by the proposal to integrate external lighting into the new media wall (proposal document Section 5), which will further emphasise the building at night.
7. The proposed screen presents a risk to public safety in that it is of a size and a prominence that, as is intended, will distract the attention of drivers approaching the junction of Oxford Street from Charing Cross Road. Vehicles often travel at speed along Charing Cross Road and at this point there is a traffic light controlled pedestrian crossing on Tottenham Court Road, which is all too easy for drivers to miss.

On implementation of the West End Project, Tottenham Court Road will become two-way and there will be a similar risk to pedestrians crossing at the traffic light-controlled crossing close to Bedford Avenue.

8. An application for a similar advertisement for the St Giles Hotel (ASX 0105177) was refused planning permission on 13 November 2001. The reasons given by the Council were: *'The proposed illuminated plasma sign is inappropriate by virtue of its large size, high level, and prominent position on the building, design materials and illumination. This proposal would cause material harm to the appearance of the building and could detract from the character and appearance of the Bloomsbury Conservation Area, with long views of the sign down Tottenham Court Road. In this regard, the proposed signs fail to comply with the provisions of Policies RE1; EN1; EN14; EN30 and EN31 of the London Borough of Camden Unitary Development Plan 2000.'*

Another similar application for the St Giles Hotel was refused planning permission on 21 December 2010. The reasons given by the Council were: *"The proposed roof extension, by reason of its design, location, bulk and height would be an incongruous and obtrusive addition to the existing building which would unbalance the architectural composition of the host building and would detract from the appearance and character of the Tottenham Court streetscene and the adjacent Bloomsbury Conservation area, and as such would be contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies."*

These are issues as relevant to this proposal as they were then.

9. Furthermore, as we commented previously, this application may be considered invalid on two counts.

Firstly, the proposal appears to be for the recladding of two upper floors of the building on its entire street frontage. This will have a material impact on the appearance of the building, on several conservation areas and on the setting of adjoining listed buildings. There is also the issue of light pollution and the economic impact on retail units on the same frontage. It is common for applications for advertisement consent to only be decided with regard to two criteria: the interests of amenity and public safety, which hardly seem adequate to address such

impacts. We are therefore of the view that such a major proposal should be accompanied by a back-to-back application for planning permission.

Secondly, It is a condition of every consent granted under the Advertisement Regulations that, before the advertisement to which the consent relates is displayed, consent should be obtained from the owner or other individuals entitled to give such permission. The ownership structure of the St Giles Hotel building is complex. We understand that the freehold is still in the ownership of the YMCA with head leases in succession to Criterion Capital and the St Giles Hotel respectively, and various sub-leases. We are not convinced by the applicant's statement in Section 10 of the application form that J C Decaux Limited owns the land or buildings where the adverts are to be placed.

Should the application be decided on this basis and it is subsequently found to be invalid, it may be overturned on judicial review.

We are also concerned by the imprecise nature of the material specifications and drawings that appear in the application form and the accompanying proposal document. Advertisement consent cannot be given for something that is as vague and imprecise as this, nor can it be enforced. A complete, comprehensive and accurate set of documents should be requested from the applicant and, again, the Council would be failing in its duty if it were to determine the application without them.

The Association supports good quality design that will enhance Bloomsbury's streetscape, which this clearly does not. With such a demonstrable breach of the Council's planning policy and of its supplementary planning guidance, we look to the Council to refuse this application.

We would be grateful if you would let us know of any further modification to the application; the decision, if it is to be decided under delegated powers, or the meeting date if it is to be decided by Committee.

Stephen Heath
On behalf of the Bloomsbury Association

Copies to:
Councillor Adam Harrison, London Borough of Camden
Councillor Rishi Madlani,
Councillor Sabrina Francis,
Elizabeth Beaumont, London Borough of Camden
Jagdish Akhaja, London Borough of Camden
Bloomsbury Conservation Area Advisory Committee
Chair, Bloomsbury Association