

Delegated Report			Expiry Date:	22/06/2016
Officer			Application Number(s)	
Leela Muthoora			2016/1581/A	
Application Address			Application Type:	
Bus shelter in front of Kings Cross Station Euston Road London N1 9AL			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent and Warning of Enforcement Action	
Proposal(s)				
Display of 2x internally illuminated digital screens to existing bus shelter structure no. 0107/0193 (Retrospective).				
Consultations				
Summary of consultation responses:		No consultation responses received		
Site Description				
<p>The site is an existing bus shelter (stop E) located on the footway on the northern side of Euston Road and the on the southern end of Kings Cross Square in front of Kings Cross Station situated between the junctions of Pancras Road and York Way. The area is dominated by the adjacent Grade I listed buildings of Kings Cross Station, St Pancras Station, Renaissance Hotel, St Pancras Chambers and Grade II Great Northern Hotel and Lighthouse Building, 283-297 Pentonville Road. The site is within the Kings Cross St Pancras Conservation Area.</p> <p>The nearest junction and pedestrian crossing is approximately 30m north-east at the junction York Way, Pentonville Road and Kings Cross Road. The nearest residential units are approximately 120m at the upper levels of St Pancras Chambers.</p> <p>The existing bus shelter has an existing digital screen which was installed by the previous operator to the applicant so this application is sought retrospectively. A double sided internally illuminated 6-sheet sequential poster advertising panel was consented for a temporary period of two years, see the history below.</p>				
Relevant History				
<p>This site- 2011/2633/A Bus Shelter Outside Kings Cross Station - Granted 19 July 2011 Display of a two-sided internally illuminated advertising panel on side of bus shelter.</p> <p>Condition 1 of this consent stated - This consent is granted for a limited period of 2 years from the date of this letter at the expiry of which the illuminated advertisement hereby approved shall be removed.</p> <p>Reason: In order to enable the Council to control the effects of the advertisement on the visual amenity of the conservation area and setting of the Listed building in accordance with policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.</p>				
Other sites-				

There are similar applications for single sided digital screens where refusals were appealed and the appeals were dismissed by the Planning Inspectorate who agreed that the adverts would be harmful to visual amenity and heritage assets. They all involved 'Display of digital screen and non-illuminated static poster panel to existing bus shelter' at the following sites-

2015/5201/A - opposite 88 Gray's Inn Road - Refused 22/01/2016 - Appeal dismissed 03/06/2016;
2015/5202/A - outside 125-129 Kingsway - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5203/A - outside 117 Kingsway - Refused 22/01/2016 - Appeal dismissed 03/06/2016;
2015/5204/A - outside 258 West End Lane - Refused 22/01/2016 - Appeal dismissed 07/06/2016;
2015/5205/A - outside Town Hall Euston Road - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5363/A - outside 100A Chalk Farm Road - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5365/A - outside 70 Kingsway - Refused 22/01/2016 - Appeal dismissed 06/06/2016.

Relevant policies

Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

National Planning Policy Framework 2012

London Plan 2016

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

CS14 – Promoting high quality places and conserving our heritage

DP21 – Development connecting to the highway network

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011/2015 (as amended)

CPG1 Design 2015 - Ch.3 Heritage and Ch. 8 Advertisements

CPG 6 Amenity 2011- Ch.5 Artificial Lighting

Camden Character Study June 2015

Kings Cross St Pancras Conservation Area Statement 2003

Assessment

1. Proposal

- 1.1. Advertisement consent is sought for the display of installation of a double-sided structure to form an end panel at right angles to the north-east end of the existing bus shelter for the display of two digital screens facing inward and outward. Each digital screen would be 1338mm (W) x 2370mm (H) x 350mm (D) with a visible display area of 1.9m² made of an LCD screen with replacement glazing of 8mm. The screens' luminance levels are capable of 2500cd/m.
- 1.2. It should be noted that similar schemes at other sites in Camden were refused advert consent (see history above); subsequent appeals were dismissed by the Planning Inspectorate who agreed with the Council's reason that the adverts would be harmful to visual amenity and to the character and appearance of the streetscene, conservation area, and/or adjoining listed buildings.
- 1.3. The existing bus shelter has an existing double-sided forum with digital screens on each side which was installed by the previous operator to the applicant. A double sided internally illuminated 6-sheet sequential poster advertising panel was consented for a temporary period of two years in 2011. The decision had a condition stating the displays were consented for a limited period. They were considered to be appropriate in the location at the time because this part of King's Cross was a construction site, undergoing extensive refurbishment works. As the works have now been completed, the circumstances surrounding the location have now altered. Due to the increased size and level of illumination the illuminated 'paper' poster rotating signs and the digital screens are considered to be materially different from one another and therefore express consent is required and the displays are assessed as such.

2. Planning considerations

- 2.1. Advertisements displayed on highways structures have deemed consent under Schedule 3, Class 9 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, provided that they do not exceed 2.16sqm in area and are not illuminated. Although the addition of the end panel falls within permitted development for highways structures, the main purpose of the structure is for advertising and the display requires express consent due to their cumulative size and internal illumination of the digital screens.
- 2.2. The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to consider amenity and public safety matters in determining advertisement consent applications.

3. Amenity: Visual impact and impact on residential amenity

- 3.1. Camden Planning Guidance for Design (CPG1) advises that good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. As the advertisements are installed as integral to the bus shelters they are assessed against their impact on the character and appearance of the nearest buildings and surrounding area and their addition to the street scene.
- 3.2. Design guidance and the Kings Cross St Pancras Conservation Area Statement also states that signs on street furniture will not normally be accepted where they contribute to visual and physical clutter and create a hindrance to movement along the pavement or pedestrian footway.
- 3.3. The area is predominantly commercial with some residential uses at St Pancras Chambers and the character is defined at a major transport gateway into central London. The existing bus shelter has a double sided poster panel at one end, for which internally illuminated 6-sheet sequential poster advertising panel was consented for a temporary period of two years. The

display occupies a prominent forward position on the footway, despite the busy nature of the area, the displays feature in the foreground in certain street level views of St Pancras Station and Chambers, Kings Cross Station, Great Northern Hotel and Lighthouse Building. Owing to the size and illumination they are prominent in such view, drawing attention away and unduly detracting from the special interest and importance of the buildings. Overall, it is considered that the display fails to preserve or enhance the character and appearance of the Conservation Area and detracts from the setting of the adjacent listed buildings by causing harm to the visual amenity of the immediate locality.

3.4. Camden Planning Guidance for Amenity (CPG 6) advises that artificial lighting can be damaging to the environment and result in visual nuisance by having a detrimental impact on the quality of life of neighbouring residents, that nuisance can occur due to 'light spillage' and glare which can also significantly change the character of the locality. As the advertisements are not located at a typical shop fascia level and would be illuminated, they can appear visually obtrusive and would have the potential to cause light pollution to neighbouring residential properties. The nearest residential windows are situated at an approximate distance of 120m at the first floor level of St Pancras Chambers as they are at a higher level, the proposal is not considered to be detrimental to the neighbouring occupiers' amenity in terms of light pollution or outlook.

4. Public Safety

4.1. It is accepted that all advertisements are intended to attract attention and the proposed advertisements would be placed in a typical position for a poster panel within an existing bus shelter structure. The Council also acknowledges digital displays of the size and form proposed are experienced in using the capital's transport network and the level of illumination and display of moving images can be restricted by condition. However, advertisements are more likely to distract road users at junctions, roundabouts and pedestrian crossings particularly during hours of darkness when glare and light spillage can make it less easy to see things, which could be to the detriment of highway and pedestrian and other road users' safety.

4.2. In this location, the display is partially blocked by the kiosk and does not allow ample time for it to be seen and noted by drivers approaching eastbound on Euston Road without causing visual disturbance on the approach to this very busy junction. The screens are considered to have a detrimental impact on public safety.

5. Recommendation

5.1. Refuse Advertisement Consent and Warning of Enforcement Action to be Taken as follows- The internally illuminated digital screens, by reason of their location, size, design and method of illumination, would be unduly dominant and visually obtrusive in the streetscene, failing to preserve and enhance the character and appearance of the Kings Cross St Pancras Conservation Area and harming the setting of the adjacent Grade I and Grade II Listed Buildings, with a detrimental impact on highway safety contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP21 (Development connecting to the highway network), DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

5.2. With respect to the display of the advertisements in place on site there is a warning of enforcement action to be taken.