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The logo for SMPlanning, featuring the text "SMPlanning" in a white, sans-serif font on a dark rectangular background.

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**Via Planning Portal Only**

9<sup>th</sup> May 2018

**Display of digital advertisement panel  
Kings Cross Square, London, N1C 4TB**

The following is produced to accompany the application for advertisement consent at the above address: -

- Application form (advertisement consent)
- Existing and Proposed Elevations and Sections
- Design and Access Statement
- Road Safety Assessment

**Proposal**

The proposal seeks consent for two digital media screens on the existing vent shafts located within the plaza at Kings Cross Square, immediately adjacent to Kings Cross railway station. The vents comprise a large rotunda to the centre rear of the Square adjacent to Euston Road and an egg shape to the west adjacent to Pancras Road. The screens would measure 27 metres by 4 metres and 60 metres by 6.5 metres respectively.

The screens will be constructed to incorporate 'The Breath' which is an innovative environmental technology that can be used to treat and purify polluted air in cities. The technology is comprised of a multi-layered fabric that separates and absorbs harmful airborne pollutants.

The media screens are intended to target pedestrian and vehicular traffic and would be custom built to follow the exact curvature of the structures. The screens would be constructed in a manner that minimises disruption to the highway network. They would be fabricated off-site and would be craned in to place to avoid disruption to the highway network in conjunction with TfL traffic management protocols.

The screens would be remotely controlled via broadband or wireless connections, which will mean that images can be changed without the need to visit the site. Planned maintenance of the structure and media screens can be carried out at times to minimise disruption to the highway network. Any advertisement consent will be granted subject to the five standard conditions as required by legislation, and the hours of illumination can also be limited by condition if required.

The vents, which will host the screens, are clad in a darker granite to that of the surrounding paving and are largely functional in purpose. However, the large rotunda was expanded at lower level during the Kings Cross redevelopment project to incorporate kiosks and information screens.

The site is located within sub area 2 of the Kings Cross Conservation Area which includes both the train stations and extends to Euston Road to the south which bounds the application site. Despite several changes that have occurred, the area retains a robust industrial character, mostly from the Victorian age. The two stations are both grade I listed and are the most dominant elements of this area in terms of scale and use and with their wide train shed roof spans, they are also examples of technological flair and innovation.

### **Legislative Provision**

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Therefore, unless the nature of the advertisement is in itself harmful to amenity or public safety, consent should not be refused.

### **Relevant Planning Policy – Planning Assessment**

#### ***The London Plan***

The current London Plan identifies the importance of tackling air pollution and improving air quality to London's development and the health and wellbeing of its people. It states at Policy 7.14 that development proposals should be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality. This is consolidated in the New London Plan which states, under Policy SI1, that London's air quality should be significantly improved and that development proposals should make provision to address local problems of air quality.

## ***Camden Local Plan 2017 – Policy D4 (Advertisements)***

This is the key local policy of relevance and requires advertisements to ‘preserve or enhance’ the character of their setting and host building. The policy requires advertisements to respect the form, fabric, design and scale of their setting and host building – requiring them to be of the highest standard of design, material, and detail. The policy has several criteria from *a* to *g* which require consideration and will be addressed below. More specific guidance relating to digital advertisements is contained within the Camden Planning Guidance which is analysed following commentary relating to policy D4.

### ***Criteria a: The Council will support advertisements that preserve the character and amenity of the area***

It is noted that the existing structures, as a result of their darker granite finish to the surroundings, provide for a clean intersection between paving and cladding thus highlighting their appearance in the built environment. The vertical ventilation slots impose an outwardly visible consistency to the structures which contribute to a rather sculptural appearance defying their otherwise utilitarian appearance. The proposed advertisements would respond to this built context, utilising a curved design which would sit comfortably and sympathetically around the curvature of the existing structures.

The proposed advertisements, in responding to their direct setting, will inadvertently highlight the semi-sculptural form of their host structure, largely as a result of their bold appearance which would be reminiscent of technological advancements associated with the railways and particularly those stations of Kings Cross and St Pancras. This would result, indirectly, in a proposal that would respond to the flamboyancy of the surrounding listed buildings which, while built in the Victorian era, are characterised by several different architectural styles, adding to the diversity of the character of the area.

The accompanying design and access statement illustrates the variety and diversity of advertisements within the immediate and wider settings and these range from traditional hoardings, painted walls, digital displays on bus shelters, telephone kiosks and wall mounted displays all of which help to inform the character of the wider area.

Further, the improvements to air quality, by virtue of the use of ‘The Breath’ technology, will serve to improve the amenity of the area in accord with the principles of the London Plan.

In light of the comments above, the proposal would accord with point *a* of the policy by preserving the character and amenity of the area.

***Criteria b. The Council will support advertisements that preserve or enhance heritage assets and conservation areas.***

The industrial landscape is of major historic significance and this is consolidated by the designation of the site as a part of the wider conservation area as well as the presence of several listed buildings in the immediate surroundings. However, given the commentary above regarding the architectural merit of the advertisements, and how they fit comfortably within the built fabric and the general character and range of advertisements locally, the proposals are considered to accord with point *b* of the policy which requires advertisements to preserve or enhance heritage assets and conservation areas.

The second strand of the policy, lists criteria where Camden will ‘resist’ advertisements.

***Criteria c: The Council will resist advertisements that contribute to an unsightly proliferation of signage in the area***

Signage exists in the immediate and wider locale as would be expected in an urban location. However, the surroundings maintain an appropriate ratio of built development to advertisements and the proposal would not therefore lead to an unsightly proliferation of signage in the area.

***Criteria d. The Council will resist advertisements that contribute to street clutter in the public realm***

The proposed advertisements will be facilitated by existing structures and therefore additional street clutter will not be created by the proposal.

***Criteria e. The Council will resist advertisements that cause light pollution to nearby residential properties or wildlife habitats***

The application site is in the heart of one of the most prominent transport hubs in the Country. The area is urban in character, with no known areas of wildlife importance and while there are residential properties in the locale, they do not form the dominant use class. Light pollution, in the context of these surroundings, is not therefore likely or even possible.

***Criteria f. The Council will resist advertisements that have flashing illuminated elements***

While it is acknowledged that flashing illuminated signage has the potential to impact on amenity and public safety, the context of the surroundings ensures that those impacts are unlikely to be demonstrably noticed in this location. However, flashing illuminated elements can nevertheless be controlled by condition and the applicant would be willing to accept such controls that not only limit the level of illumination but the type i.e. no flashing elements.

Conditions limiting such matters would be justified where any harm is identified by the elements to be controlled.

***Criteria g. The Council will resist advertisements that impact upon public safety***

The accompanying 'Road Safety Assessment' concludes there is no impact on public or road safety but please also refer to the comments above in relation to the imposition of planning conditions.

The later part of the policy is more prescriptive and seeks to resist advertisement on shopfronts that are above fascia level or ground floor level, except in 'exceptional circumstances'. Whilst the presumption against high level advertisements as the norm is understood, this policy is not read as a blanket ban on all such proposals which should be considered on their planning merits. In this case, it has been demonstrated how the advertisements would sit comfortably within their context and local character, according with the various strands of policy D4, and as such should be granted express consent.

***Camden Planning Guidance Note 2 – Advertisements***

The Camden Planning Guidance (CPG) provides more clarity about the application of policy D4 and provides a separate category in relation to 'Digital Advertisements' – Pages 7-8.

The CPG states that proposals for digital advertisements should adhere to the best practice guidance set out in the Transport for London Guidance for Digital Roadside Advertising and Proposed Best Practice (March 2003).

This best practice guidance sets out detailed considerations and requirements including:

- Siting of adverts including proximity to traffic signals, hazards, and longitudinal spacing;
- Position and orientation to the carriageway;
- Message duration, transitions, and sequencing; and
- Lighting levels.

The proposal accords with all of these principles, and this is further analysed in the Road Safety Audit accompanying the application.

The guidance states further that the Council **support** the development of digital signboards provided they meet the criteria set out in Local Plan Policy D4 on advertisements, the guidance set out in this document, TfL best practice, and where they are located in a suitable

location. The majority has been analysed above, however further guidance on what the CPG sees as appropriate locations are noted below.

The guidance states, that digital adverts are not suitable on sites (i) within predominantly residential areas, (ii) with a uniform heritage character, (iii) within conservation areas, and (iv) with large numbers of listed buildings. Dealing with each point in turn;

***(i) Digital adverts are not suitable on sites within predominantly residential areas***

The site is not located in an area that is predominantly residential. The area is of course characterised by an element of residential use but the overriding character is one of an industrial landscape.

***(ii/iii/iv) Digital adverts are not suitable on sites with a uniform heritage character/conservation areas/areas with a large number of listed buildings***

It is acknowledged that the immediate and wider surroundings of the site are of architectural and historic significance with both a large number of listed buildings in close proximity and the site designated as part of the wider conservation area. However, this is not presented in a uniform manner. This part of the conservation area is largely industrial in character, highlighted by monumental Victorian engineering but influenced by several different styles of architecture. It is in fact this monumentality of built form that lends itself as an appropriate backdrop to the proposed advertisements.

As the regulations to control advertisements require that decisions are made only in the interests of amenity and public safety, this guidance cannot alone be decisive. It must allow for each development proposal to be considered on its merits and as noted above in the character and design analysis the proposals would sit comfortably within this particular part of the conservation area, and Kings Cross generally.

Turning to factors for suitable digital advertisement locations, the guidance states that these should be in the following areas:

- In predominantly commercial areas,
- Along major roads carrying high levels of traffic, and
- In areas with larger buildings where signage can be integrated into the architecture.

The proposed advertisements will be located in a mixed-use area containing much commercial activity adjacent to the Euston Road which consistently carries significant levels of traffic. Built development dominates the immediate surroundings both in scale and

decoration and the proposed advertisements therefore comply with all of the above. The site is thus identified as an ideal location for digital advertising.

### **Summary**

The proposal is of high quality and located in a mixed-use area identified by large scale industrial buildings. The site is appropriate for advertisements of this scale and design and the advertisements would not give rise to any public safety concerns due to the character and layout of the road network in the immediate area. For the reasons given above, it is considered that this is an appropriate proposal for this location and should therefore be granted consent.

If there are any questions or required points of clarification, please contact me as soon as possible.

Yours sincerely

SM Planning