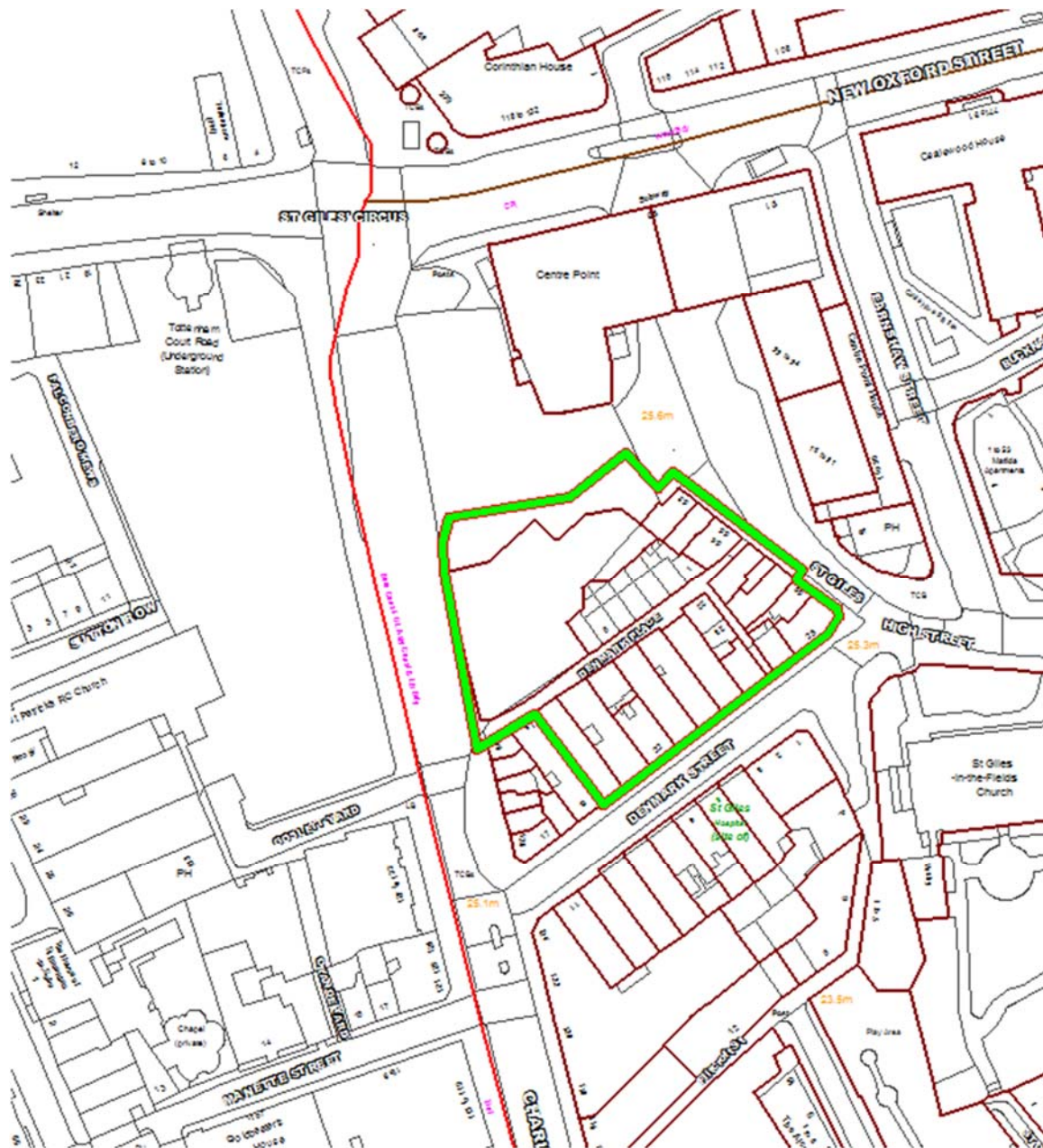


2018/0897/A

Land at St Giles Circus Site, Charing Cross Road



Views of the site and area where the sign is to be displayed



| | | | | |
|--|----------------------------|---|---|-------------------|
| Delegated Report (Members Briefing) | | Analysis sheet | Expiry Date: | 17/04/2018 |
| | | N/A | Consultation Expiry Date: | 14/03/2018 |
| Officer | | | Application Number(s) | |
| Matthias Gentet | | | 2018/0897/A | |
| Application Address | | | Drawing Numbers | |
| Land at St Giles Circus Site 126-136 Charing Cross Road London WC2H 8NJ | | | 2no Photos; Cover Letter (30/05/2018); [2651/] 001 Site A revF, 002 Site A revF, 003 Site A revF, 004 Site A revF, 005 Site A revF, 007 Site A revF, 008 Site A revF. | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
| | | | | |
| Proposal(s) | | | | |
| Temporary display of a non-illuminated display board (measuring 6m in width by 3m in height with frame) facing Centre Point for a period of 2 years. | | | | |
| Recommendation(s): | | Grant conditional Advertisement Consent | | |
| Application Type: | | Advertisement Consent | | |

| | | | | | | |
|-------------------------------------|---|-----------|------------------|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 00 | No. of responses | 04 | No. of objections | 03 |
| Summary of consultation responses: | <p>Consultation letters were sent out on 21st February 2018 and expired on 14th March 2018.</p> <p>See the below responses</p> | | | | | |
| Westminster Council | <p>The City of Westminster has objected to the original proposal as follow:</p> <p>'Because of its size, location and illumination, the LED digital display board would fail to maintain or improve (preserve or enhance) the setting of the neighbouring Soho Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES1, DES8 and DES9 (F) of our Unitary Development Plan that we adopted in January 2007.'</p> <p><i>Officer's Response:</i> See paragraphs 1.1 to 1.6, 4.1 to 4.8 in the below report.</p> <p>The follow up objection was also received in response to the revised proposal, as follow:</p> <p>'Because of its size, location and illumination, the display board would fail to maintain or improve (preserve or enhance) the setting of the neighbouring Soho Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES1, DES8 and DES9 (F) of our Unitary Development Plan that we adopted in January 2007.'</p> <p><i>Officer's Response:</i> The revised proposal is no longer illuminated. Therefore the comments referring to the illumination of the display board are inaccurate and therefore cannot be taken into consideration.</p> <p>See paragraph 1.1 to 1.6, 4.1 to 4.8 in the below report which cover the other points raised.</p> | | | | | |
| Covent Garden Community Association | <p>An objection from the Covent Garden Community Association has been received, as follow:</p> <ul style="list-style-type: none"> - Whilst the CGCA appreciates that the proposed digital display board has been greatly reduced in size, we continue to object to the commercial nature of the sign and the use of internal illumination for the advertisement, which is inappropriate given its proximity to several conservation areas, including Denmark Street, Bloomsbury and Seven Dials (Covent Garden) conservation areas (Local Plan Policy D1, D2, D4, A1). - Internal illumination is inappropriate and unsympathetic in a conservation area, and conflicts with Westminster planning policy (see "Shopfronts, Blinds & Signs" SPG; "Advertisement Design Guidelines" SPG; and DES8). DES8-10.98 states that "Shop signs should be at fascia level and be externally illuminated. Internally illuminated box fascias and projecting signs are not normally appropriate in conservation areas." - Additionally, national guidance, as set forth in the Department of Communities & Local Government's "Outdoor advertisements and signs: a guide for advertisers," clearly states that Class 4 (illuminated advertisements) "does not extend to any premises in a Conservation" (p. 17). | | | | | |

Bloomsbury Association

Bloomsbury Association has objected to the original proposal, summarised as follow:

- Prior to current development commencing, the northern flank walls of buildings on this site were used for hideous 'temporary' advertising for several decades. The current proposal must therefore be regarded as following the pattern of previous development by seeking to establish a precedent for further commercial excesses regardless of their impact.
- This is a very different vision to that of the Council's West End Project and looks to argue that footfall and the number of passing vehicles provides a strong business case for advertising revenue with little consideration of the impact on amenity and the appearance and character of the streetscape and the conservation areas that they are a part of.
- In recently commenting on excessive digital advertising proposed for Tottenham Court Road, we concur with Cabinet Member for Improving Camden's Environment, Councillor Harrison, whose view is 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 or Leicester Square.
- 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 CPG1.
- DCLG goes on to clarify: 'The terms 'amenity' and 'public safety'.
- The proposal will have a significant impact on long distance views along Tottenham Court Road and from public spaces such as the new Plaza being created in front of Centre Point and, significantly, also from Soho Square. Contrary to LDF policy, the proposal will be detrimental to the adjacent conservation areas, particularly in its harmful intrusion into distant views from Oxford Street, Charing Cross Road, Sutton Row and along Tottenham Court Road.
- Its scale and bulk will also have a damaging visual impact on important local views from adjacent Conservation Areas such as Bloomsbury, Hanway Street, Soho and Denmark Street. It also detracts from the setting of a number of nearby listed buildings, including 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. It will be particularly damaging to the setting of St Patrick's church when viewed from Soho Square.
- 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.
- Light pollution from the proposed display board will impact on the amenity of residential uses directly opposite in Centre Point and Centre Point House. It may also have an effect on residential uses on the upper floors of 5 Great Russell Street.
- The current proposal, despite the assertion of the applicant's agent to the contrary, is dimensionally larger than the previous proposal (12.6 x 3.4m cf 12 x 3m). It is damaging to the architectural setting of Centre Point and to the public piazza being created at its base.
- The proposed display presents a risk to public safety due to its size and prominence.
- The current proposal is not dissimilar to previous proposals that have been refused permission on nearby sites. Along with the proposal that was refused on 11 August 2016 (2016/2888/A) and then dismissed at Appeal on 13 February 2017 (ref: APP/X5210/Z/16/3158874).
- 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.

Officer's Response:

See paragraphs 1.1 to 1.6, 4.1 to 4.8, 5.1 to 5.3 in the below report

The follow up objection was also received in response to the revised proposal, as follow:

- The Bloomsbury Association has reviewed the revised proposal uploaded onto the

Council's planning web page on 1 May 2018.

- We maintain our objection to the proposal for the reasons stated in our letter dated 7 March 2018. We believe that this is not a location for large scale advertising, whatever its form. As the revised photo-montages clearly show, it would be too damaging to public amenity in the newly created public space at St Giles Circus and presents too great a risk to south-bound traffic on Tottenham Court Road on completion of the West End Project. Far, far too much advertising is currently being proposed here and the Council needs to be resolute in its approach to defining an appropriate public realm at St Giles Circus and on Tottenham Court Road. The West End Project is motivated by the Council's aim to see an improvement in the environment; this proposal frustrates that ambition.
- Equally, because of its size and location the display board would fail to maintain or improve (preserve or enhance) the setting of the neighbouring Bloomsbury, Denmark Street and Hanway Street Conservation Areas. This would not meet Policies A1, D1, D2 and D4 of the Camden Local Plan adopted by the Council in June 2017. It would similarly impact adversely on the setting of the neighbouring Soho Conservation Area in Westminster.

Officer's Response:

See paragraphs 1.1 to 1.6, 4.1 to 4.8, 5.1 to 5.3 in the below report

Site Description

The site is located between Centre Point (Grade II listed) to the north, Denmark Street to the south, St Giles High Street to the east and Charing Cross Road to the west. It forms part of the St Giles Circus redevelopment that includes the deletion of Denmark Street and demolitions of buildings on it. The site is on the edge of Denmark Street Conservation Area and Westminster to the west.

Relevant History

Site History:

2017/3038/A – (withdrawn on 28/11/2017) - Temporary display of an internally illuminated LED digital display board (6m in width by 3m in height) facing Centre Point from 25/08/2017 to 31/08/2019.

2016/2888/A – (refused on 11/08/2016 and dismissed on appeal on 13/02/2016) - Temporary display of internally illuminated LED display board signage (measuring 3m in height by 12m in width and 0.6m in depth) to Andrew Borde Street and Charing Cross Road elevation from 01/09/2016 to 23/05/2018.

2016/0523/A – (refused on 08/04/2016) - Temporary display of shroud advertisement with 1 x non-illuminated advertisement on Denmark Street elevation from 01/04/2016 to 01/04/2018.

2016/0522/A – (granted on 04/04/2016) - Temporary display of a shroud with 1 x non-illuminated advertisement to Charing Cross Road and Andrew Borde Street elevations from 01/04/2016 to 01/04/2018.

2014/6754/A – (granted on 24/04/2015) - Temporary display of a shroud with 1 x non-illuminated advertisement to Charing Cross Road and Andrew Borde Street elevations and display of a shroud with 1 x non-illuminated advertisement to St Giles High Street and Denmark Street elevations from 01/01/2015 to 01/01/2017.

2012/6858/P – (granted on 31/03/2015) - Redevelopment involving the erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place), to provide 2895sqm of basement Event Gallery space, exhibitions, product launches, live music (including recorded music), awards ceremonies, conferences and fashion shows (Sui Generis), urban gallery, retail, advertising, exhibitions, brand and product launches, corporate events, screenings, exhibitions and events, flexible retails and restaurant floorspace, drinking establishment (Class A4) and a 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street.

Adjacent Sites:

2016/0523/A – (refused on 08/04/2016 and appeal dismissed on 20/07/2016) - Temporary display of shroud advertisement with 1 x non illuminated advertisement on Denmark Street elevation from 01/04/2016 to 01/04/2018 - Land at St Giles Circus, 1-23 Denmark Place, 18-28 Denmark Street , 52-59 St Giles High Street.

2014/6754/A – (granted on 24/04/2015) - Temporary display of a shroud with 1 x non-illuminated advertisement to

Charing Cross Road and Andrew Borde Street elevations and display of a shroud with 1 x non-illuminated advertisement to St Giles High Street and Denmark Street elevations from 01/01/2015 to 01/01/2017 - Land at St Giles Circus, 1-23 Denmark Place, 18-28 Denmark Street, 52-59 St Giles High Street and 126-136 Charing Cross Road.

2011/2591/A – (granted on 22/07/2011) - Display of 1x externally illuminated shroud and 1x non-illuminated shroud with advertising on rear and flank elevation respectively of building fronting Andrew Borde Street for a temporary period of 3 years - 1 - 6 Denmark Place and 52-55 St Giles High Street.

Relevant policies

National Planning Policy Framework, 2012

The London Plan 2016

London Borough of Camden Local Plan 2017

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

D4 (Advertisements)

T1 (Prioritising walking, cycling and public transport)

Camden Planning Guidance (2018)

CPG (Advertisement)

CPG1 – Design (July 2015 updated March 2018)

CPG6 - Amenity (September 2011 updated March 2018)

Denmark Street Conservation Area (March 2010)

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

Planning Enforcement Initiative to remove unsightly advertisement hoardings in the Borough

Assessment

1. Background

- 1.1 This application is the sixth of a series of advertisement consent applications for the display of non-illuminated commercial advertisement on shrouds and LED internally illuminated digital advertising signs at the site address since 2014 (See Relevant History above).
- 1.2 The previous application for the display of an LED digital advertising board reference: 2016/2888/A - measuring 3m in height by 12m in width and 0.6m in depth - was refused on the grounds of *'its size, siting and method of illumination would fail to preserve or enhance the character or appearance of the Denmark Street Conservation Area and would result in an overly dominant addition which would be highly detrimental to the appearance and character of the streetscape and adjoining station building.'* The inspector dismissed the appeal along the same line stating that *'As a result of its location, size and illumination the proposal would appear as an incongruous and intrusive feature in the streetscape, in contrast to its surrounding context.'*
- 1.3 An application submitted in 2017, also for an LED digital board (measuring 6m in width by 3m in height following attempt as revising the proposal to a more acceptable size) was subsequently withdrawn as it wasn't going to be supported by the Council due to the method of illumination considered to be highly detrimental to the surrounding listed building, the streetscape and immediate locale.
- 1.4 This original proposal for this latest application was for another LED internally illuminated digital board, measuring approximately 12.5m in width by 3.5m in height and 0.6m in depth – affixed flush with hoarding construction boards at 1.5m above ground level. This was again considered to be unacceptable and the proposal was therefore revised as follows:
 - (i) Removal of the illumination – sign is now non-illuminated;
 - (ii) Reduction of the size of the sign down to 6m in width by 3m in height – reduced by half.
- 1.5 The revisions were put forward to consultations to the objectors: Bloomsbury Association, Westminster Council and Covent Garden Community Association.
- 1.6 Westminster Council uphold their original objections and so has Bloomsbury Association. [See above Consultation

Summary].

1.7 It must be noted that the sign is to be in place for a temporary period of 2 years. Any request for an extension of its display would need to be re-assessed and is unlikely to be granted due to the progress of the development works that would render the site unsuitable for such type of advertising.

2. Proposal

2.1 The proposal is seeking advertisement consent for the display of a non-illuminated advertising sign on the corner of Charing Cross Road and Andrew Borde Street, affixed onto steel girders erected by the the north facing boards of the construction hoardings surrounding the development site.

2.2 The sign would measure approximately 6.3m in width by 3.4m in height (with the frame) and 0.15m in depth, 6m in width by 3m in height (without the frame) allowing for an advertising face covering approximately 18.6sqm. The overall area of the sign – with the frame – stands at 21.4sqm. The sign will sit 1.5m above ground level and half way up and flush with the hoarding surround that measure 3m in height.

2.3 It will be adjacent to the Grade II listed Centre Point with the simple glazed forms of the adjacent underground station entrance on its other side.

2.4 The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.

3. Assessment

3.1 The principle considerations in the determination of this application are:

- Visual amenity
- Transport and Public Safety

4. Visual Amenity

4.1 CPG (Advertisement) states that *'if an area has a mix of uses or is predominantly in commercial use, some poster or hoarding advertising may be acceptable where they satisfactorily relate to the scale of the host building or feature and its surroundings. They should be designed and positioned as an integral feature of the building.'*

4.2 The chosen location, at the end of a busy and vibrant commercial area (Charing Cross Road) provides an array of various commercial signage. These are mostly found at ground floor level. Having the sign at a somewhat low level – in comparison with the usual high level commercial advertisement found on scaffolding shrouds – would ensure a balanced position between typical mid-ground/mid-first floor levels, reducing the imposing nature that such an advert can generate.

4.3 The CPG (Advertisement) provides guidelines where a hoarding sign would be acceptable, as follow:

- *In locations where they do not prevent or significantly damage views or obscure light;*
- *Where they do not project forward of the face of adjoining buildings;*
- *Where they do not obscure architectural features or landmarks (including windows or window recesses);*
- *And not on side walls where they would be unduly dominant.*

4.4 The proposed non-illuminated advertising board is in line with the four points that form part of the CPG (Advertisement) guidelines whereby the sign will not be an obstruction to view, light and/or architectural features. Following its reduction in size, its positioning half way up the construction site surrounding hoardings as well as being displayed flush with the hoardings, the proposed signage would not be unduly dominant and would not project forward.

4.5 The presence of listed buildings has been considered very careful. The Council has a duty to ensure that such sensitive buildings are not harmed by developments occurring in close proximity.

4.6 CPG (Advertisement) also states that *'Advertisement hoardings or posters will be carefully controlled in conservation areas and on or near listed buildings to ensure that they do not detract from the area's and building's character and appearance.'*

4.7 Although the Council would not consider granting advertisement consent to such a sign on a permanent basis, given its temporary nature, that it is not illuminated it is considered acceptable in this instance given that it will only be erected whilst building works are ongoing on the site behind. The proposed signage is to form part of the construction hoarding boards. By their very nature, hoarding fixtures are not attractive but they do however provide screening of unsightly construction works. The signage, by virtue of its positioning with the hoarding fence

and its non-illuminated status, will not materially detract from the locale and/or from the listed Centre Point building, and on balance, is considered acceptable.

4.8 Nevertheless, as stated above in paragraph 1.7, an extension of time sought to keep the sign in place longer would likely be resisted by the Council to alleviate setting a precedent for other similar development across the borough whereby it would become the norm to have such large commercial advertisement displayed for long period of times.

5. Transport and Public Safety

5.1 Policy D4 of the Local Plan states that advertisements will not be considered acceptable where they impact upon public safety, including when they distract road users because of their unusual nature.

5.2 The proposed non-illuminated advertisement does not raise any concerns in terms of public safety and is not considered to be a distraction to moving traffic.

5.3 The public safety aspect of the proposal, in terms of the non-illumination, size and the location of the sign is therefore considered acceptable.

6. Conclusion

6.1 The detrimental impact of the proposed non-illuminated display board on the surrounding locale and building would be minimal and for a temporary period only, and during building works. The sign would be sited at low level and would therefore not be a dominant feature over the streetscape as well as having its visibility limited to Tottenham Court Road to the north. By view of its size, design, location, non-illumination and temporary display, the scheme is considered to be acceptable. It would preserve the character and appearance of the streetscape and locale, the surrounding buildings and Conservation Area, and would not harm the setting of the listed Centre Point tower.

7. Recommendation

6.1 Grant conditional Advertisement Consent

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th June 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

Application Ref: **2018/0897/A**
Please ask for: **Matthias Gentet**
Telephone: 020 7974 **5961**

30 May 2018

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:

**Land at St Giles Circus Site
126-136 Charing Cross Road
London WC2H 8NJ**

DECISION

Proposal:

Temporary display of a non-illuminate display board (measuring 6m in width by 3m in height with frame) facing Centre Point for a period of 2 years.

Drawing Nos: 2no Photos; Cover Letter (dated 30/05/2018); [2651/] 001 Site A revF, 002 Site A revF, 003 Site A revF, 004 Site A revF, 005 Site A revF, 007 Site A revF, 008 Site A revF.

The Council has considered your application and decided to grant consent subject to the following condition(s):

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

Executive Director Supporting Communities



- 2 No advertisement shall be sited or displayed so as to
- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 6 The advertisement hereby permitted is for a temporary period only. The advertisement shall be removed on or before the end of the 2 year period starting from the date of this decision.

Reason: The type of advert is not such as the Council is prepared to approve, other than for a limited period, in view of its appearance. Its permanent display would be contrary to the requirements of policy A1, D2 and D4.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION