

Delegated Report			Expiry Date:	09/03/2018
Officer			Application Number(s)	
Matthias Gentet			2018/0221/A	
Application Address			Application Type:	
Kiosk to the front of Kings Cross Station Kings Cross Square Euston Road London N1C 4AL			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent	
Proposal(s)				
Display of 2 x internally illuminated LED digital screens to both sides of existing kiosk.				

Consultations

<p>Summary of consultation responses:</p>	<p>Consultation letters were sent out on 17/01/2018 & 10/05/2018 and expired on 07/02/2018 & 31/05/2015 respectively.</p> <p>An objection from the Owner/occupier at 1 Crestfield Street, WC1H 8AT were received, summarised as follow:</p> <ul style="list-style-type: none">- This kiosk is an anachronism and should not be here at all.- It is an ugly presence and certainly should not be allowed to have any more advertising on it, especially not illuminated. <p><i><u>Officer's Response:</u></i> <i>The application and its assessment is for the 2no LED digital advertising boards only. Not for the kiosk itself. Any reference to the kiosk's unsuitability cannot be taken into consideration. Only part of the comments referring to the signage can be accepted.</i> <i>See paragraphs 4.1 to 4.8 in the below report</i></p>
<p>Transport for London (TfL)</p>	<p>TfL has provided the following comments:</p> <p>The site is located on the A501 Euston Road which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN and are therefore concerned about any proposal which may affect the performance and/or safety of the TLRN.</p> <ol style="list-style-type: none">1. The footway and carriageway on the A501 Euston Road must not be blocked during the works. Temporary obstructions during the conversion 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 on the A501 Euston Road.2. All vehicles associated with the works must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.3. No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences would be required with TfL, please see: https://tfl.gov.uk/info-for/urban-planning-and-construction/highway-licence.4. TfL welcome that the maximum illumination level will be 200cd/m, in line with TfL guidance on roadside advertising and the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015). This should be secured by condition.5. The advertisements and screens shall feature no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent of video elements) of any kind during the time that any message is displayed. This should be secured by condition.6. For the LED screen, the interval between successive displays shall

be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction. This should be secured by condition.

7. If adverts are displayed on the LED screen the minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the screen shall not include features/equipment which would allow interactive message/advertisements to be displayed. This should be secured by condition.

Provided the above informative and conditions are met TfL has no objection to the proposal.

Site Description

The site relates to a metal kiosk located on the northern side of Euston Road. It sits on the pavement adjacent to an entrance of Kings Cross Underground Station. To the north is the Grade I listed Kings Cross Train Station and to the north west is the Grade XX Listed St Pancras Train Station. To the west is Pancras Road with York Way to the east.

The structure is not listed but is located within Kings Cross & St Pancras Conservation Area.

Relevant History

Site Address History:

N/A

Site Enforcement History:

EN15/0727 – Erection of news kiosk and advertising – Case Closed on 10/10/2017: Kiosk not expedient as has been in situ for a significant period of time. The current adverts are the subject of a separate Enforcement inquiry: EN17/0011;

EN17/0011 - Newstand kiosk is displaying moving digital advertising – Case Closed on 05/01/2018 (breach ceased).

Adjacent Sites History:

Bus shelters O/s Kings Cross Station

1st Bus Shelter – approximately 30m to the north-west of the site (kiosk)

2016/1581/A – (refused on 17/05/2017 but allowed on appeal on 24/04/2017 reference:

APP/X5210/Z/17/3168979) - Display of 2x internally illuminated digital screens to existing bus shelter structure no. 0107/0193 (Retrospective).

Reasons given for allowing the Appeal was that '*in this busy urban setting, the proposed illuminated digital display unit located and contained within the frame and footprint of the existing bus stop shelter would not appear dominant or obtrusive. The proposed advertisement in this site specific location would not materially harm the amenity of the area.*'

2nd Bus Shelter - approximately 50m to the north-west of the site (kiosk)

2016/1582/A – (refused on 17/05/2017 but allowed on appeal on 24/04/2017 reference:

APP/X5210/Z/17/3168975) - Display of 2x internally illuminated digital screens to existing bus shelter

structure no. 0107/0192 (Retrospective).

Reasons given for allowing the Appeal was that *‘in this busy urban setting, the proposed illuminated digital display unit located and contained within the frame and footprint of the existing bus stop shelter would not appear dominant or obtrusive. The proposed advertisement in this site specific location would not materially harm the amenity of the area.’*

Bus Shelter O/s Camden Town Hall

2015/5205/A – (refused on 22/01/2016 and dismissed on appeal on 06/06/2016) - Display of digital screen and non illuminated static poster panel to existing bus shelter no. 0107/0140.

No235 Euston Road

2012/4564/A – (refused on 18/10/2012 and appeal dismissed on 11/07/2013) - Display of digital screen and lettering to front elevation of hospital.

2013/6400/A - (refused on 22/10/2012 and appeal dismissed on 31/12/2013) - Display of digital screen to front elevation of hospital.

Relevant policies

National Planning Policy Framework, 2018

The Draft London Plan 2017

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)

Kings Cross St Pancras Conservation Area Appraisal (December 2003)

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

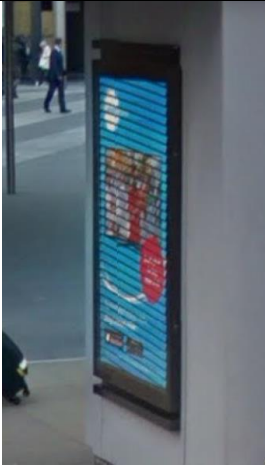
Planning Enforcement Initiative to remove unsightly advertisement hoardings in the Borough

1. Background

- 1.1 This application is a retrospective submission for the retention of 2no internally illuminated LED digital advertising board that have been displayed without the requested permission on each side ends of a 'newsagent' kiosk/structure on the pavement outside of Kings Cross Station. The signs are the subject of an enforcement case reference: EN17/0011 [See Relevant History above].
- 1.2 It must be noted that the details of the LED digital screen do not seem to match the measurements given on the application. According to the information provided in section 28(d), the digital screens are to measure 2m in height by 1m in width and 0.7m in depth. However, on the drawings, and by using other measuring reference within the details, the digital screens are actually showing to measure 2m in height by 1.4m. The depth is not actually shown on any of the drawings and can therefore not be confirmed.
- 1.3 The digital screens' details are also conflicting between the two proposed drawings: One drawing has the screens centred to the side end elevations with a thick frame with an advertising face measuring 0.9m in width by 1.6m in height and covering an area of 1.4sqm. On the second drawings, the digital screens appear to form the entire side ends of the kiosk, similar to LED digital screens found on bus shelters.
- 1.4 In view of the purpose of this application which is seeking to retain the unauthorised LED digital screens already in situ, this report will be based on the details provided on the first drawing where the screens are displayed centred to both side end elevations as these more closely resemble the signage - applied within this application - to be retained. Nevertheless, none of the details contained within both proposed elevations show the details of the digital advertisements that are on site.
- 1.5 Another matter that must also be mentioned are again connected to the details of other types of signs showing on the proposed drawings such as illuminated fascia signs and a large non-illuminated 'Lebbara' sign on the back of the kiosk (facing Euston Road). These adverts do not form part of this application and have therefore not been included in the description. Their details are not being assessed within this report and their suitability is therefore not being given any consideration.

2. Proposal

- 2.1 Advertisement consent is sought for the display of 2no internally illuminated LED digital screens affixed onto the west and east facing elevations of a metal 'newsagent' kiosk that is sitting on the pavement between an entrance to Kings Cross Underground Station and Euston Road for the purpose of commercial advertising.
- 2.2 The proposed digital screens measure approximately 2m in height by 1.4m in width. The plans show the advert to be set within the kiosk structure itself. However when viewed on site it does project slightly from the kiosk by no more than 40-50mm. A photo of the screen is shown below:



They would face both the coming and ongoing traffic – west and east bound.

2.3 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:

- Amenity
- Transport and Public Safety

4. Amenity

4.1 Policy D1 requires advertisement to preserve or enhance the character of their setting and host building this includes listed buildings and conservation areas. The policy goes on to note that the Council will resist adverts that contribute to an unsightly proliferation of signage in the area, having flashing illuminated elements or contribute to street clutter in the public realm.

4.2 Policy D4 further states that the Council will resist advertisements that contribute to an unsightly proliferation of signage in the area and contribute to street clutter in the public realm.

CPG (Advertisement) 2018 states that '*Digital advertisements are by design visually prominent and attention grabbing with their illuminated images, especially when they are large in size. They are not suitable for locating in some areas. Factors which make a location less suitable for digital billboards include locations within conservation areas, near listed buildings and where the advertisement could become the most prominent feature of the street scene.*'

4.3 It is also important to note paragraph 7.20.1 of the Kings Cross St Pancras Conservation Area Statement which states, to be acceptable advertisements must relate to the design of the building where they are displayed in order to ensure that they do not detract from its character or, if free-standing, that they do not compromise its setting or spoil the adjoining area. In this respect significant views within the Conservation Area should be respected. For King's Cross, this means that applications will be scrutinised for the possibility of adverse effects on the significant townscape elements. Advertisements will not normally be granted consent on the frontages to squares.

4.4 The proposed adverts at sited along Euston Road, within Kings Cross Square and would be clearly appreciable in long views along Euston Road towards Kings Cross Railway station and the St. Pancras Station and former Midland Grand Hotel and appear as distracting, modern intrusions

in the streetscape, failing to preserve or enhance the historic environment and heritage assets in accordance with Local Plan Policy D4. The adverts are also contrary to Local Plan Policy D2 which states that the council will resist development that would cause harm to the significance of a listed building through an effect on its setting.

There are 2no bus shelters sited to the east of the kiosk – approximately 40m and 80m respectively. Both are adorning LED digital display screens that have been granted advertisement consent under applications reference: 2016/1581/A and 2016/1582/A [See Relevant History above]. It is worth noting that both cases were refused by the Council but subsequently allowed on Appeal. The inspector was of the opinion that *the street scene around Kings Cross/Euston Road is commercial in nature, with a wide range of shops, restaurants and other services displaying adverts at street level. Furthermore, the area in the vicinity of the appeal site typically contains bus shelters, kiosks with digital display advertising. These are generally arranged and spaced on the public realm and contribute to the urban character of the area. Given the site specific context and its location within an existing structure, the proposed advert either on its own or cumulatively with the adjacent advertisements would have a neutral effect on the character and appearance of the CA and the setting and therefore, the significance of the Grade I and II Listed Buildings identified above.*

4.4 However, there was no defined specifications as to when a cumulative impact would become a genuine and justifiable issue. At the time of the refusal, it was felt that the presence of such signage was detrimental to the streetscape, the Conservation Area and harmful to the setting of the surrounding listed buildings in terms of the method of illumination. In this case as in the previous 2no bus shelter cases, the LED digital screens are an intrusion on the traditional architectural surrounding especially with Kings Cross Station to the north of the site and the Lighthouse to the east as background. The location is clearly sensitive and the merit of the architectural heritage that forms the unique identity of Kings Cross – as the area – must be protected.

4.5 The type of advertisement prominently dominating this part of Euston Road are examples of shop signs such as fascia and projecting signs. Although they bear internal illumination in most cases, these signs form part of typical shopfronts and serve the purpose of highlighting the presence of any given business/commercial operation. They do not provide a platform for an aggressive form of commercial advertising of products for purely financial gains.

4.6 The addition of yet more similar LED digital screens would furtheracerbate the detrimental impact that would result from the visual clutter onto the Conservation Area and the public arena in front of the Grade I listed Kings Cross Station. The signs would unduly detract from the special interest and importance of the listed buildings.

4.7 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. CPG – Advertisement also states that *'Digital advertisements are by design visual prominent and attention grabbing with their illuminated images, especially when they are large in size. They are not suitable for locating in some areas. Factors which make a location less suitable for digital billboards include locations within Conservation areas, within predominantly residential areas, with a uniform heritage character, near listed buildings; and where the advertisement could become the most prominent feature of the street scene.'*

4.8 Although the area is predominantly commercial, the upper levels of St Pancras Chambers are residential and sit in close proximity to the kiosk. The residential windows on the east elevation of the building will be facing directly onto the west elevation of the structure where one of the screen is located. The impact of the light source onto the residential amenity cannot be ignored and therefore the method of illumination is considered to be detrimental to the neighbouring occupiers' amenity in terms of light pollution and/or outlook.

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 method of illumination of the proposed LED internally illuminated digital advertisement would not raise any concerns subject to conditions to control the level of illumination and movement/timings of the display, in terms of public safety and is not considered to be a distraction to the moving traffic.
- 5.3 The public safety aspect of the proposal, in terms of the method of illumination, size and the location of the LED digital sign is therefore considered acceptable.

6. Recommendation

- 6.1 Refuse Advertisement Consent