

St Giles Circus

London Borough of Camden

TOWNSCAPE & VISUAL IMPACT ASSESSMENT | JUNE 2020

On behalf of Consolidated Developments Ltd.



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Section 1

Introduction.

1 | Introduction

- 1.1

This Townscape & Visual Impact Assessment (TVIA) has been produced by Icen Projects to provide an assessment of the under construction development of St Giles Circus (henceforth 'the Site'), its surrounding townscape, and the potential impact to visual amenity arising through the design of the previously consented advertisement screens. This is provided to support the Advertisement Application on townscape and amenity matters in relation to the advertisement design based on the previously consented advertisement scheme for St Giles Circus.
- 1.2

Subsequent to the approved planning permission for express advertisement consent in March 2015, this new application follows the lapse of the previous consent and outlines the same proposed advertising screens to the north-west corner of Building A.
- 1.3

The Site is not a designated heritage asset, nor is the Site recognised to be locally listed. However, the Site does sit within the Denmark Street Conservation Area, although not identified as a contributor the its character and appearance. The immediate area of the Site is characterised by the busy transport node of Tottenham Court Road Station, the major through roads and future Crossrail Station, with nearby tall, large floorplate development, located next to and facing onto the 32 storey Grade-II listed Centre Point building.
- 1.4

This report will:

 - Set out the relevant legislative and policy framework within which to understand the proposed redevelopment of the Site;
 - Provide a detailed and robust assessment of the baseline condition and the proposed design; and lastly,
 - Provide a Visual Impact Assessment to demonstrate the impact on amenity, specifically.
- 1.5

The existing Site and surrounding area was appraised during a site visit (23.01.20), and a desk-based study was also undertaken.
- 1.6

The report is produced by Icen Projects. Specifically, it is authored by Ailish Killilea BA (Hons) MSc IHBC, Associate - Built Heritage & Townscape.

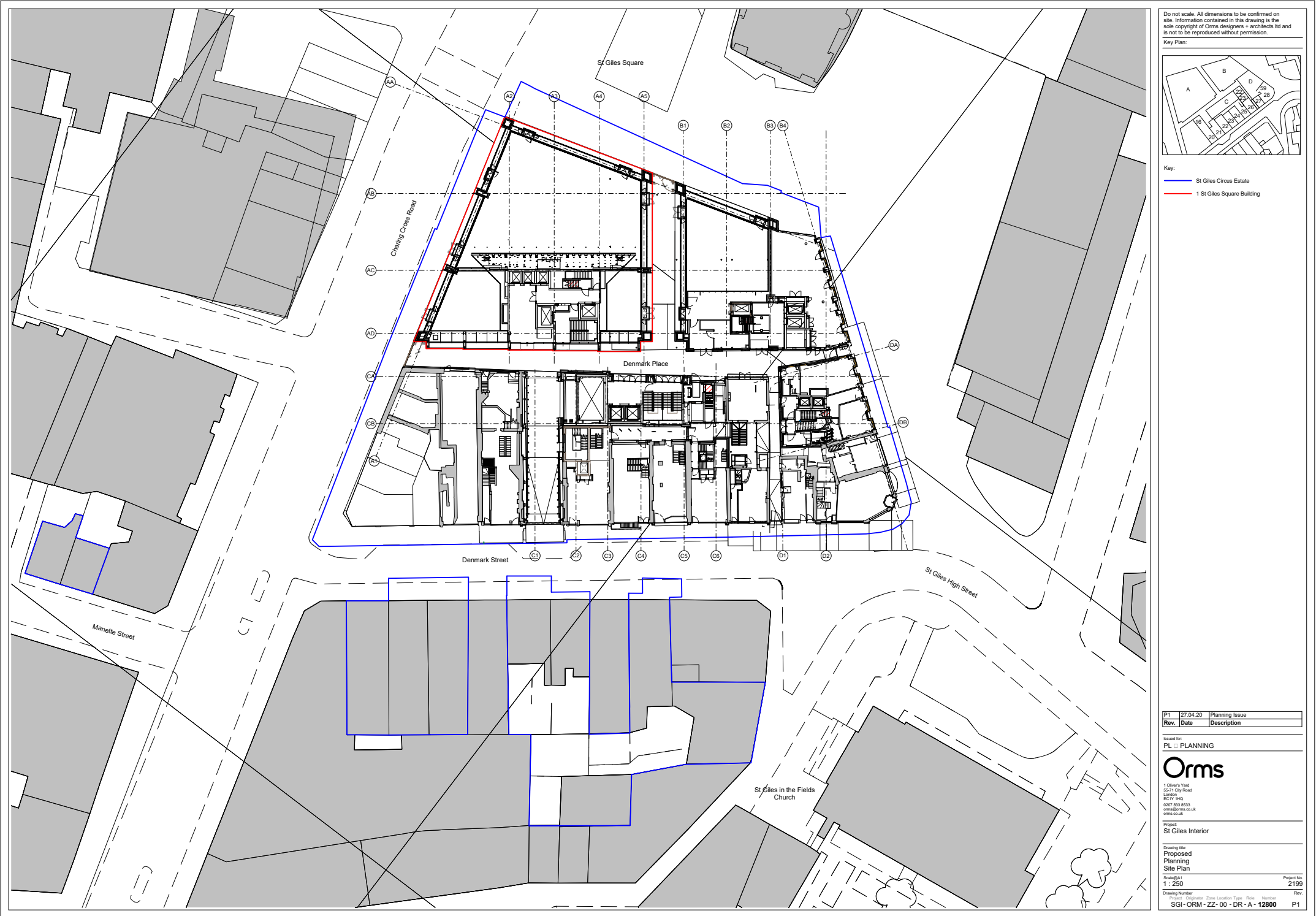


Figure 1.1 Site Plan (not to scale)

Section 2

Planning Legislation, Policy & Guidance.

2 | Planning Legislation, Policy & Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

- 2.1 Where any development may have a direct or indirect effect on designated heritage assets, there is a legislative framework to ensure the proposals are considered with due regard for their impact on the historic environment. Although the primary consideration of the assessment set out in this report is focused on visual amenity, regard is paid to sensitive and/or important townscape which requires consideration of designated heritage assets as part of the townscape environment.
- 2.2 Primary legislation under Section 66 (1) of the Planning (Listed Buildings and Conservation Area) Act 1990 (PLBCAA 1990) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or Secretary of State, as relevant, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses.
- 2.3 Section 72 of the Act establishes a duty in the exercise of any function under the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. A Conservation Area is an area of local interest designated principally by the Local Planning Authority. The statutory duty in relation to Conservation Areas refers only to their character and appearance, and not to their setting.

National Planning Policy Framework (July 2018, updated February and June 2019)

- 2.4 In July 2018, the government published the new revised version of the National Planning Policy Framework ("NPPF"), replacing the March 2012 published framework which had previously replaced the previous policy regime, including the design and heritage policies set out in Planning Policy Statement 1: Delivering Sustainable Development (PPS1), and Planning Policy Statement 5: Planning for the Historic Environment (PPS5). The NPPF was since updated in February and June 2019. This maintains the focus on the promotion of sustainable development that was established as the core of the previous, 2012, NPPF.
- 2.5 This national policy framework encourages intelligent, imaginative and sustainable approaches to managing change. Historic England has defined this approach, which is reflected in the NPPF, as 'constructive conservation': defined as 'a positive and collaborative approach to conservation that focuses on actively managing change...the aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment' (Constructive Conservation in Practice, Historic England, 2009).
- 2.6 Section 12, 'Achieving well-designed places', reinforces the importance of good design in achieving sustainable development, by ensuring the creation of inclusive and high quality places. This section of the NPPF affirms, in paragraph 127, the need for new design to function well and add to the quality of the surrounding area, establish a strong sense of place, and respond to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 2.7 Of particular relevance and reference to the changes proposed through this application are paragraphs:

131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

132. The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

- 2.8 The guidance contained within Section 16, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it.
- 2.9 Heritage Assets are defined in Annex 2 of the NPPF as: 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).' Listed buildings and Conservation Areas are both designated heritage assets.
- 2.10 'Significance' is defined as 'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.'
- 2.11 The 'Setting of a heritage asset' is defined as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

Planning Practice Guidance ("PPG") (Ministry of Housing, Communities and Local Government, last updated July 2019)

- 2.12 The guidance on Conserving and enhancing the historic environment in the PPG supports the NPPF.
- 2.13 Paragraph 002 states that conservation is an active process of maintenance and managing change that requires a flexible and thoughtful approach, and that neglect and decay of heritage assets is best addressed through ensuring that they remain in active use that is consistent with their conservation.
- 2.14 Paragraph 006 sets out how heritage significance can be understood in the planning context as archaeological, architectural, artistic or historic, defined as follows:
- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
 - architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
 - historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.
- 2.15 The PPG emphasises in paragraph 007 the importance of assessing the nature, extent and importance of a heritage asset in understanding the potential impact and acceptability of development proposals.

2 | Planning Legislation, Policy & Guidance

Advertisements, Ministry of Housing, Communities & Local Government (July 2019)

- 2.16 Paragraph 079 sets out “Amenity” as not defined exhaustively in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It includes aural and visual amenity (regulation 2(1)) and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest (regulation 3(2)(a)).
- 2.17 It is, however, a matter of interpretation by the local planning authority (and the Secretary of State) as it applies in any particular case. In practice, “amenity” is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.
- 2.18 So, in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

The London Plan

- 2.19 Regional policy for the London area is defined by the London Plan. The Draft New London Plan has been out for consultation and is has undergone review in an Examination in Public by the Planning Inspectorate, the Mayor has now issued his intention to publish to the Secretary of State. The New London Plan deals with design and heritage considerations in Chapter 7 London’s Living Spaces and Places. The policies contained therein are of some, although minor, weight.

London Plan Consolidated with Amendments

- 2.20 The current adopted London Plan (2016) incorporates the changes made in the Revised Early Minor Alterations to the London Plan (2013), Further Alterations to the London Plan (2014), and Minor Alterations to the London Plan (2015). The Revised Early Minor Alterations to the London Plan (REMA) set out minor alterations in relation to the London Plan and changes to UK legislation including the Localism Act (2011) and the NPPF. The revisions amend and split paragraph 7.31 supporting Policy 7.8 Heritage Assets and Archaeology with regard to developments affecting the setting of heritage assets, the need to weigh developments causing less than substantial harm on heritage assets against the public benefit and the reuse or refurbishment of heritage assets to secure sustainable development. The Glossary for the REMA also contains definitions for ‘Heritage Assets’ and ‘Substantial Harm’. The Further Alterations to the London Plan (2014) updated policy in relation to World Heritage Sites in London and the assessment of their setting.
- 2.21 The current London Plan deals with design and heritage matters in Chapter 7, London’s Living Spaces and Places.
- 2.22 London Plan Policy 7.4 requires development to have regard to the form, function and structure of an area and the scale, mass and orientation of surrounding buildings. The design of buildings, streets and open spaces should provide a high-quality design response enhancing the character and function of an area.
- 2.23 London Plan Policy 7.6 notes that the architecture should “make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context”.

- 2.24 London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

London Borough of Camden Policy

- 2.25 The London Borough of Camden’s Local Plan was adopted by the Council on 3 July 2017. Along with the Local Plan, Supplementary Planning Documents (SPDs) also form a key part of LB Camden’s Local Development Framework.
- 2.26 Relevant heritage policies contained within Local Development Plan documents are as follows:
- Local Plan: Policy D1 Design part (q) and Policy D2 Heritage
 - SPDs: Denmark Street Conservation Area Appraisal

Policy D1: Design

The Council will require development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area.

We will require that development:

q. carefully integrates building services equipment.

Policy D2 Heritage

The Council will preserve and, where appropriate, enhance Camden’s rich and diverse heritage assets and their settings, including Conservation Areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated heritage assets

Designed heritage assets include Conservation Areas and listed buildings.

The Council will not permit the loss of or substantial harm to a designated heritage asset, including Conservation Areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a. the nature of the heritage asset prevents all reasonable uses of the site;

b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;

c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

d. the harm or loss is outweighed by the benefit of bringing the site back into use.

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation Areas

Conservation Areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's Conservation Areas, the Council will take account of Conservation Area statements, appraisals and management strategies when assessing applications within Conservation Areas.

The Council will:

e. require that development within Conservation Areas preserves or, where possible, enhances the character or appearance of the area;

f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a Conservation Area;

g. resist development outside of a Conservation Area that causes harm to the character or appearance of that Conservation Area; and

h. preserve trees and garden spaces which contribute to the character and appearance of a Conservation Area or which provide a setting for Camden's architectural heritage.

Listed Buildings

Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:

i. resist the total or substantial demolition of a listed building;

j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and

k. resist development that would cause harm to significance of a listed building through an effect on its setting.

Section 3

Assessment of the Proposed Design.

3 | Assessment of the Proposed Design

The Site

- 3.1 The Site is located to the south of Centre Point with its primary frontage onto Charing Cross Road and the pedestrian route of Andrew Borde Street, which also faces the south-east access to the newly completed Tottenham Court Road Underground Station. The Site forms part of the wider redevelopment of St Giles Circus which is made up of: 138-148 (even) Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles High Street 4 Flitcroft Street and 1 Book Mews London WC2.
- 3.2 The Site consists of the surround experience facilitated by coordinated internal screen display to the north-west corner of Building A, the 'Urban Gallery', which will facilitate Outernet, is a publicly permeable semi-enclosed space which allows routes through. These works were previously agreed under an Express Advertisement Consent application, LPA Ref: 2012/6863/A, providing the client team with the benefit of a formalised position and also to allow the Council a greater level of control. This application was approved on the 31st of March 2015 with no expiration date but lapsed after 5 years under Regulation 14(7) of the Town and Country Planning (Control of Advertisements) Regulations 2007.
- 3.3 The lapsed advertisement consent was for 1912 sqm of digital installations to the internal walls, ceiling and floor of the urban gallery proposed as part of a separate Planning and Conservation Area Consent for St Giles Circus:

Installation of 1912sqm of internally illuminated intermittent digital LED display to the internal walls, ceiling and floor of the urban gallery in connection with the redevelopment of St Giles Circus site.



Figure 3.1 Aerial view map showing the location of the site (outlined in red)
Source: Google Maps

3 | Assessment of the Proposed Design

Establishing the Baseline

- 3.4 It is clear that the existing and emerging character of the site and immediate area is made up mainly by the consented St Giles Circus redevelopment, LPA Ref: 2012/6858/P, which is closely coming to completion yet with some construction works still under way. This is a location undergoing major transformation of the built environment. Of most relevance and immediate influence on the Site are the Centre Point restoration and public realm redevelopment and the Tottenham Court Road Station works, including the introduction of Crossrail.
- 3.5 A site visit was carried out on 23.01.20 and the accompanying photographs capture the condition of the site and the existing baseline prior to closures relating to the Coronavirus pandemic.
- 3.6 From these images and since the 2015 approval it is apparent that the cumulative baseline is quickly becoming the existing baseline with the passage of time and progress of the consented works associated with St Giles Circus. Therefore, for the purpose of assessing this advertisement application the baseline for assessment is deemed to be that of the consented St Giles Circus redevelopment.



Figure 3.2 Access to the site from Tottenham Court Road Station.



Figure 3.3 Andrew Borde Street elevation with Centre Point just visible on the right-hand side



Figure 3.4 Charing Cross Road elevation



Figure 3.5 Primary frontage of the site with fins installed where the proposed retractable external skin is intended for installation



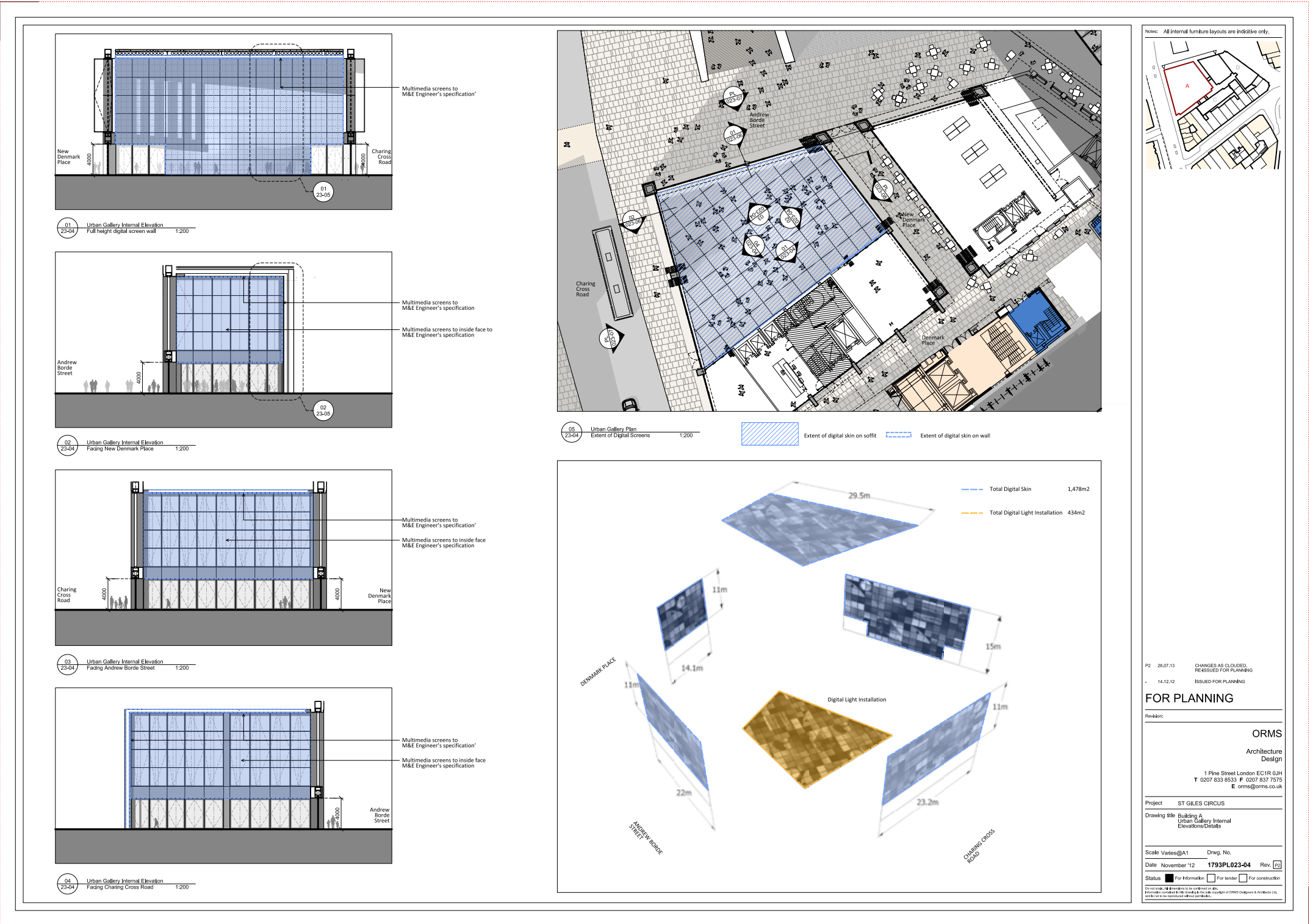
Figure 3.6 Looking towards the site from the Tottenham Court Road Station access at the junction of Oxford Street and Charing Cross Road

3 | Assessment of the Proposed Design

Assessment of the Proposed Design

- 3.7
- The proposed development is identical to that previously approved under Express Advertisement Consent (LPA Ref: 2012/6863/A) which granted permission for the following:

Installation of 1912sqm of internally illuminated intermittent digital LED display to the internal walls, ceiling and floor of the urban gallery in connection with the redevelopment of St Giles Circus site.
- 3.8
- A complete proposed drawing package has been submitted to the LPA and should be viewed in conjunction with this report. Some drawings of particular relevance are included to support the description of the proposals.
- 3.9
- The layout of the proposed screens are the same surface area as that previously consented, covering the internal walls of the 'urban gallery' to create an immersive visual experience for the user and visitor. It is this world class and new user experience in advertising and retail that Outernet are developing and this being the first of their captivating international outlets. This rare opportunity and innovation in retail approach was fundamental in achieving consent for the wider redevelopment of St Giles Circus, acknowledged for the interest introduced to the townscape environment and the public realm improvements and amenity that would be introduced by this urban gallery.
- 3.10
- These external screens would be retractable and possible to conceal these behind the internal digital screens when not in use. Furthermore, the consented louvre design and pivoting mechanism has been constructed in accordance with the St Giles Circus redevelopment and is intended to operate as previously consented. Planning conditions attached to the extant planning permission for the wider redevelopment of the area (LPA Ref: 2012/6858/P) which control the luminance and the acoustic levels of the screens within urban gallery remain the intended management and usage controls on these proposed screens.



3 | Assessment of the Proposed Design



Figure 3.8 Proposed Charing Cross Road digital screens with the louvres pivoted. Drawing not to scale, by ORMS.



Figure 3.9 Proposed Charing Cross Road digital screens with the louvres opened fully. Drawing not to scale, by ORMS.

- 3.11

The four elevations of the proposed screens along Charing Cross Road demonstrate the flexibility and the changing nature of the screens, depending on the event or retail occurring at any given time. It is evident that with the louvres retracted and the outer digital skin in place (bottom right) that the highest level of visual impact would be reached, i.e. ‘the worst case scenario’. The level of visual impact would be reduced by the pivoting louvres in place and in effect would partially screen the advertisements or artwork projected onto the screens. With the digital screens retracted the internal screens would remain visible but withdrawn from the external elevation, as was previously consented.
- 3.12

‘Amenity’, as defined by Historic England is as follows:
1) *“Pleasant circumstances or features, advantages.”*
Court of Appeal (FFF Estates v Hackney LBC), 1981
2) *“That element in the appearance and layout of town and country which makes for a comfortable and pleasant life, rather than a mere existence.”*
Re Parramatta City Council ex p. Tooth & Co, Australia, 1955.
- 3.13

To examine and assess the level of change to the amenity as experienced between the baseline and the ‘worst case scenario’, the above definition and
- 3.14

those set out under NPPF and PPG in Section 2 of this report are adopted. In this case it will be visual amenity and not aural which will be assessed.
- 3.15

Furthermore, it is the screen feature and urban gallery experience that allows for this innovative retailer to operate within this almost completed building and with the intent of the original application. As noted within the NPPF, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, such as the proposed development. Any perceived harm identified through the installation of the proposed screen design should acknowledge the public benefits to be enjoyed and experienced through the proposed development and balanced accordingly.

Section 4

Visual Impact Assessment.

4 | Visual Impact Assessment

4.1 The following section presents a visual of the proposed screens within the existing baseline. The visual impact assessment is based upon these Computer Generated Images (CGIs) in terms of the level of impact on amenity through visual change.

4.2 These CGIs, consented under the express advertisement application, show the proposed development. These images have been developed by ORMS, the architect. The views assessed are as follows:

- View 1A: Junction of Oxford Street & Charing Cross Road (daytime)
- View 1B: Junction of Oxford Street & Charing Cross Road (night-time)
- View 2: Charing Cross Road & Andrew Borde Street

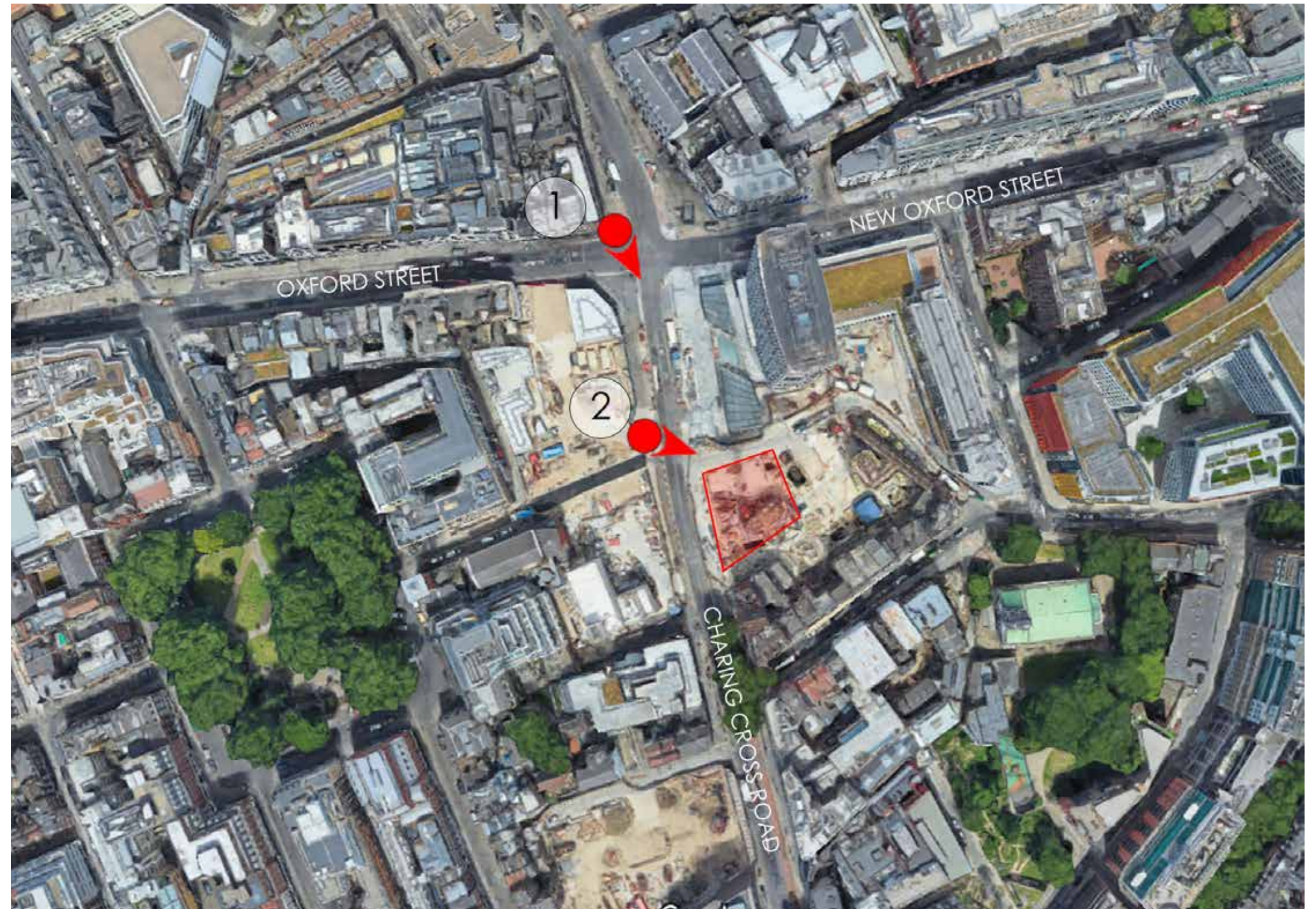


Figure 4.1 Viewpoint Map

4 | Visual Impact Assessment

ST GILES CIRCUS | LONDON BOROUGH OF CAMDEN

View 1A: Junction of Oxford Street & Charing Cross Road (daytime)



Proposed



Proposed

The existing baseline, as consented, from the intersection of Oxford Street and Charing Cross Road is a harmonious composition of contemporary architecture. The site sits centrally between and is focused by the 1960s modernist architecture of the grade II listed Centre Point and the more recent Tottenham Court Road Station. Historic elements, such as St Giles Church, have been incorporated and layered into the scene from this major central London location. The advertisement screens are partly covered by the pivoting louvres but the visual enticement towards the site is apparent yet subtle. All elements, including features and scale would be preserved, the change to visual amenity would in fact be an enhanced or pronounced awareness of the public urban gallery under certain operational times when retracting of the louvres and external digital screen projection would be permitted.

4 | Visual Impact Assessment

ST GILES CIRCUS | LONDON BOROUGH OF CAMDEN

View 1B: Junction of Oxford Street & Charing Cross Road (night-time)



Proposed



Proposed

Under the night-time condition the existing scene from the major junction of Oxford Street and Charing Cross Road demonstrates the contextual design of the visual LED display screens previously permitted and proposed. There is a difference in lighting between the residential units of Centre Point, the brighter lighting indicating the Station entrance and the medium level of lumen experienced from the Site. These light levels do not appear to be competing and range logically with the individual building uses. The proposed screens are experienced in their full extent with the louvres retracted, adding interest and movement to this highly urban location. The operational hours of the screens and the agreements on the outputs which should not exceed pre-existing illuminance, all of which will be carried forward from the previous consent.

4 | Visual Impact Assessment

ST GILES CIRCUS | LONDON BOROUGH OF CAMDEN

View 2: Charing Cross Road & Andrew Borde Street



Proposed



Existing

This is a crucial location to experience the Site in its full and maximum exposure where the new pedestrian crossing across Charing Cross Road onto Andrew Borde Street and through to the public square is to be established. With the louvres pivoted the screens are visible just in between the spaces and partly at ground level where pedestrians are enticed into the immersive urban gallery space. Without the proposed digital displays this space would not operate as an urban gallery but would be just a publicly accessible semi-indoor space. Although the architecture of Building A is of high quality and was approved on the design merits of the consented redevelopment scheme of St Giles Circus, it is the proposed screens that elevate the interest and amenity features of this building and indeed the retail offering of Outernet. The proposed digital screens would be an enhancing visual addition.

Section 5

Conclusion.

5 | Conclusion

- 5.1 The proposed development is the exact advertisement application sought previously and consented. The approval of the digital screens is integral to the overall delivery and offer of the consented and almost complete St Giles Circus redevelopment, particularly the inclusion of the world class and innovative retailer, Outernet. In accordance with national and local policy and guidance, innovative design should be supported and promoted, as well as sustainable solutions through design. The immersive urban gallery relies on the digital screens in order to operate and if these screens are not permitted will depreciate the high quality architecture and urban design previously consented under the wider regenerative redevelopment of St Giles Circus.
- 5.2 It is the digital screens which unlocks the interest and visual amenity of the Site and indeed, how it interacts and connects visually within the existing townscape. Therefore, the proposed development is considered to be of an enhancing effect and supports sustainable and innovative design at this location.
- 5.3 The proposed development is considered to wholly fulfil, and in fact fulfil in the delivery of the design integrity consented under the original application for St Giles Circus, NPPF para. 131 and 132 and Policy D1 of Camden Local Plan.



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