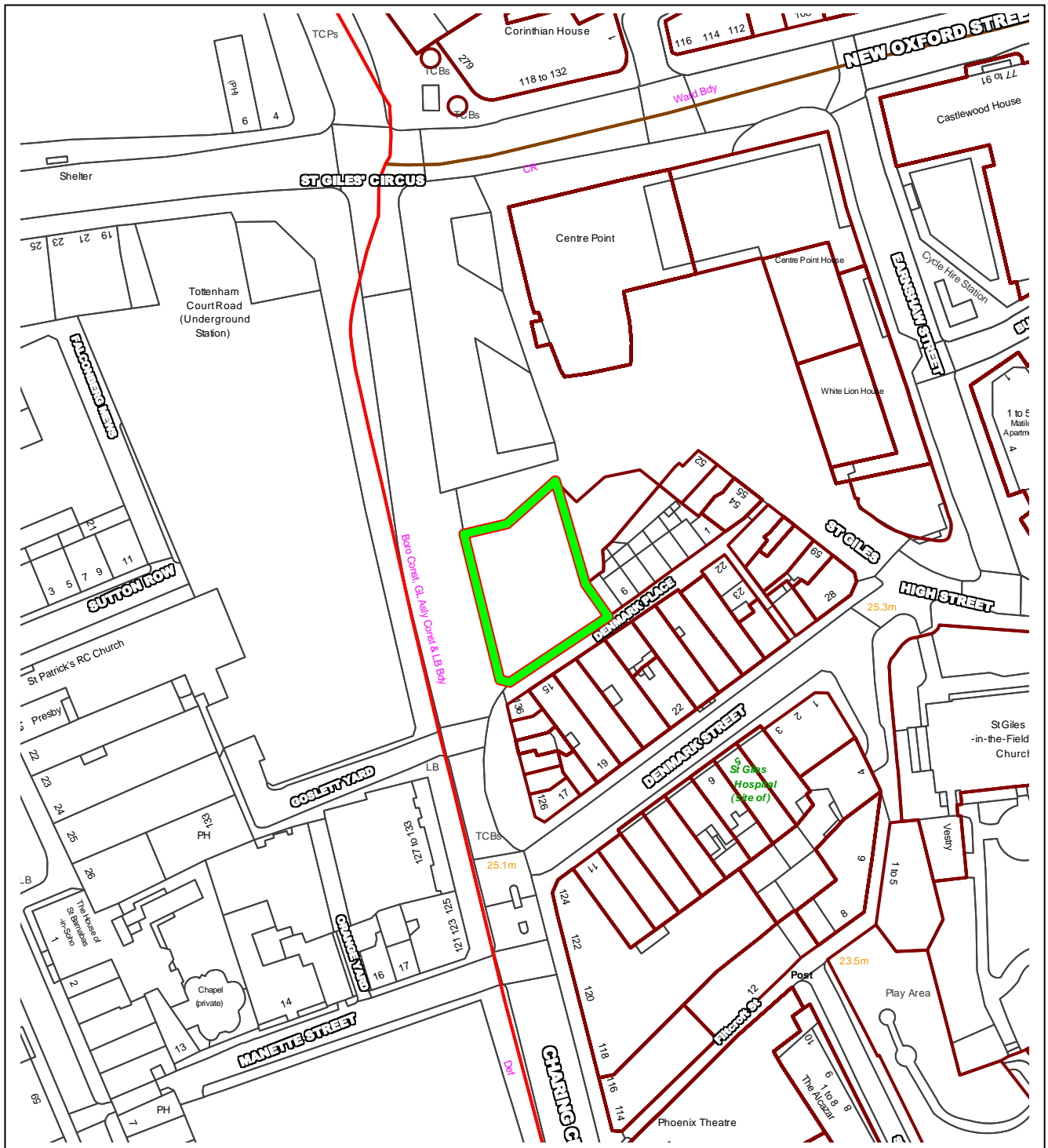


1 St Giles Square, WC2H 8LD, ref: 2020/1910/A



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



Photo 1 (above): Historic photo of the application site in October 2008 (taken from Google Streetview), showing previous advertising hoarding

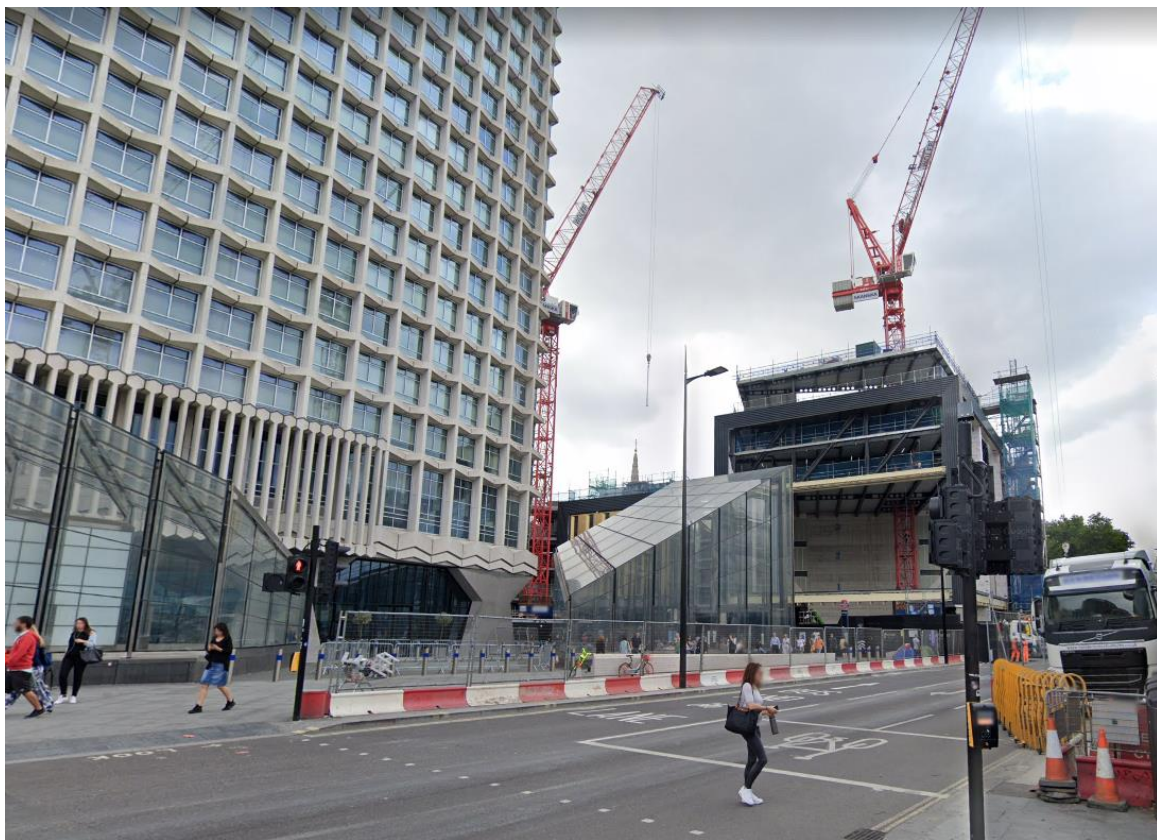


Photo 2 (above): Photo of the application site in August 2019 (taken from Google Streetview)



Photo 3 (above) and 4 (below): Historic photos of the application site in 2004 showing the previous hoarding and adverts





Photo 5 (above): Application site under construction, taken 02/06/2020



Photo 6 (above) and 7 (below): CGIs of the Urban Gallery, showing the louvres open with advertising screens behind





Photo 8 (above): CGI of the Urban Gallery, showing the louvres partly open with advertising screens behind

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	26/06/2020
		N/A / attached		Consultation Expiry Date:	NA
Officer			Application Number(s)		
Jonathan McClue			2020/1910/A		
Application Address			Drawing Numbers		
1 St Giles Square London WC2H 8LH			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of 1,912sqm 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.					
Recommendation(s):		Grant Conditional Permission			
Application Type:		Advertisement Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice				
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	0	No. of objections	0
Summary of consultation responses:	<p>As per the Town and Country Planning (Development Management Procedure) (England) Order 2015, statutory consultation and publicity is typically required for full planning applications; however, there is no statutory requirement for consultation/publicity for Advertisement Consent applications considered relevant for this application, other than the neighbouring planning authority who have been duly consulted.</p> <p>Notwithstanding the above, the Council has an ‘email alerts’ system that notified relevant subscribers to the application on 03/05/2020.</p> <p>Officers consulted Transport for London (TfL) and the City of Westminster on 03/05/2020.</p> <p>One objection was received from an adjoining occupier on Grape Street 03/06/2020 and is summarised below:</p> <ul style="list-style-type: none">• Support and endorse the objections from the Bloomsbury Association, the Bloomsbury CAAC and the Covent Garden Community Association• There is little public benefit from the proposal and it is seeking to maximise profit• Would lead to a public nuisance, noise• Distraction of road users and pedestrians• Pedestrian and public safety <p><u>Officer Comments:</u></p> <ul style="list-style-type: none">• <i>Public benefits are not a relevant material consideration for advertising consents. 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. Notwithstanding this, the screens form part of a much larger, comprehensive redevelopment which brings back the life of Denmark Street, delivers a new 2,000 capacity venue, a new feeder venue, office space, restaurants, bars, retail, a hotel, housing and affordable housing (which is already occupied)</i>• <i>The approved planning consent under 2012/6858/P has conditions controlling the levels of luminance and noise from the proposals. There are also requirements for a review of the operation of the advertisement consent and use of the Urban Gallery following two years of operation. If the advert screens (or any other part of the operation) cause issues then the Council would be in a position to review/amend/reconsider the proposals. Advertising consents are also consented for 5 years after the date of approval, with the Council possessing the ability to issue a discontinuation notice after it lapses</i>				

- | | |
|--|--|
| | <ul style="list-style-type: none">• <i>The screens on the facing southbound traffic are inward facing so this would not unduly impact that traffic. The internal screens would be partly shielded by the building façade. The matters relating to road safety and amenity have already been assessed and negotiated with Camden under the S106 and planning conditions under the St Giles redevelopment ref. 2012/6858/P</i> |
|--|--|

Transport for London
(TfL) comments on
05/05/2020:

TfL offered the following comments:

1. *The application site is situated on Tottenham Court Road, which forms part of the Strategic Road Network (SRN).*
2. *Having reviewed the previous consent granted ref 2012/6863/A; TfL considers that the proposal would be acceptable subject to the following conditions for the panel facing the southbound carriageway of Tottenham Court Road to ensure highway safety, this is in addition to those already sent out in the previous consent which shall be re-secured never the less*
 - *The level of illumination for the side facing the Tottenham Court Road southbound carriageway must be no higher than 400cdm at any time;*
 - *No animation or moving feature shall be displayed on the side facing the Tottenham Court Road S/B carriageway at any time;*
 - *The frequency of image changes for the site facing the Tottenham Court Road S/B carriageway shall be no more than every 8 seconds;*
3. *While the submitted safety assessment emphasises that the Tottenham Court Road S/B carriageway would be mostly used by taxi and buses; TfL however disagree that drivers would be 'get used' to the 'distraction', hence risks would be minimised. It should be noted that there is a high level of pedestrians in the area, often including tourists, vulnerable pedestrians as well as cyclists; and crossing activities take place throughout the section even at locations away from controlled crossing which drivers are required to pay additional attention to. As such, it is considered that the above additional conditions for the panel facing the Tottenham Court southbound carriageway would provide a balance to minimise safety risk, in line with Mayor's Vision Zero agenda and the display of advertisements which was granted consented previously for this instance.*

As such, TfL would only to support the latest proposal subject to the conditions set out above, ensuring that the proposal would not result in an adverse safety impact to the SRN.

Officer Comments:

- *The level of illumination would be controlled by Condition 25 of the main consent under 2012/6858/P. This condition requires a lighting report detailing artificial light within the Urban Gallery from the digital screens and any other lighting*
- *The screens proposed within the façade facing onto the TCR S/B carriageway are inward facing when deployed. The screens on the back wall inside the building would be partly shielded from direct views by the building façade (which are behind louvres)*
- *The proposals are for moving LED screens – so like televisions. As noted above the screens on the TBC S/B carriageway are inward*

	<p><i>facing so this would not unduly impact S/B traffic. The internal screens would be partly shielded by the building façade</i></p>
--	--

<p>Soho Society Planning and Environmental Committee objection on 01/06/2020:</p>	<p><i>‘Although this site is not within the City of Westminster and Soho our planning and environment considered this application this evening and wishes to support the detailed points and objections made by the Bloomsbury Association and the Covent Garden Community Association as these large screens would have a potentially adverse impact on buildings and activities within Soho’.</i></p> <p><u>Officer Comments:</u> <i>The objections referred to are summarised below, as are the officer responses.</i></p>
<p>Bloomsbury CAAC (BCAAC) objection on 18/05/2020:</p>	<p>The BCAAC wrote a two page objection on the proposals, which is summarised below:</p> <ul style="list-style-type: none"> • The letter sets out that they understand that this application is simply being renewed due to an expiration of a previously approved application, partly due to the coronavirus pandemic; however, have decided to raise a new objection on the grounds of negative visual and aural impact upon the Denmark Street Conservation Area • It is noted that para 6.8.2 of the appraisal and management strategy for the Denmark Street Conservation Area states that hoardings, due to their size, are not considered acceptable forms of advertising within the conservation area. New development may increase pressure for more intensive advertising. This will be resisted where it is considered to detract from the character and appearance of the area • In BCAAC’s opinion, the visual character of the proposed advertisement assumes that of a hoarding (and assumes the size and scale of a hoarding). They consider these advertisements unacceptable • Attention is drawn to Policy D4 of the Local Plan, which states the Council will resist advertisements that cause light pollution to nearby residences and that have flashing illuminated elements. Paras 7.83 and 7.85 go on to emphasise further resistance to advertisements which have negative impacts upon heritage and amenity. Camden’s planning guidance on advertisements sets out further resistance to advertisements of this size, scale, location, and illumination, and also within the sensitive historic setting of conservation areas and listed buildings • Regarding the aural impact of these advertisements, BCAAC consider that there is no precedent for such a form of advertisement

in any area of Camden or London to their knowledge and on the contrary noise emitted from premises is generally considered unacceptable and a threat to environmental health. In heritage terms, they believe the noise detracts from the special character of the conservation area by providing an unwelcome distraction which will hinder the enjoyment of the area's special character

- The BCAAC consider that there is very little public benefit to outweigh the above harm. The advertisement space to local businesses is noted but not considered by BCAAC to outweigh the great weight that should be afforded to the conservation of designated heritage assets

Officer Comments:

- *In support of the application, a Townscape & Visual Impact Assessment has been submitted and these impacts are assessed in detail in section 4.0 Townscape and Heritage Impacts below. The proposed screens are inside the building, although they would be visible from outside of the Urban Gallery building when the louvres are open, and face away from the historic Denmark Street Conservation Area and towards the new development above Crossrail*
- *The proposals do not involve the erection of hoarding, rather interactive screens that would be displayed inside a building (and visible from outside when its louvres open). It is noted that the original advertising consent (ref. 2012/6863/A) was assessed under the same Denmark Street Conservation Area Statement policies referenced above and was considered to be acceptable when granted in 2015. Officers consider the proposals still comply with this document*
- *The proposals are not for hoardings, they are complex interactive screens as part of a wider development*
- *The approved planning consent under 2012/6858/P has conditions controlling the levels of luminance and noise from the proposals. There are also requirements for a review of the operation of the advertisement consent and use of the Urban Gallery following two years of operation. If the advert screens (or any other part of the operation) cause issues then the Council would be in a position to review/amend/reconsider the proposals. Advertising consents are also consented for 5 years after the date of approval, with the Council possessing the ability to issue a discontinuation notice after it lapses*
- *The exact same proposals were approved under 2012/6863/A, forming a very direct precedent. The proposals would be the first in a global network of immersive entertainment districts showing music, film, arts and retail experiences (meaning that once in place would be original in terms of being the first of its kind)*
- *Public benefits are not a relevant material consideration for advertising consents. 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. Notwithstanding this, the screens form part of a much larger, comprehensive redevelopment*

	<i>which brings back the life of Denmark Street, delivers a new 2,000 capacity venue, a new feeder venue, office space, restaurants, bars, retail, a hotel, housing and affordable housing (which is already occupied)</i>
--	--

**Covent Garden
Community Association
(CGCA) objection on
14/05/2020:**

The CGCA submitted a four page objection (with images) to the application in its current form. They consider their objections can largely be addressed via controls including:

- Opening hours of fascia vanes in the walls to be limited in hours to 8am – 10pm, and reviewed through local consultation after 3 months of operation - the LPA reserving the right to ameliorate any problems by changing the conditions on hours of opening, or by permanent closure of the vanes
- TfL's restrictions on moving images and brightness to be included, and no sound from the advertisement equipment to be allowed to emanate from the space
- Any content shown on the screens to be restricted to:
 - The equivalent of 'U' classification in films, and
 - Non-political subject matter, and
 - No moving images

The CGCA consider that the proposed installation should be reconsidered, in order to promote the wellbeing of road-users, the local community and those passing by/through the site. CGCA acknowledge that the same consent was granted in March 2015 to illuminated LEDs under application ref. 2012/6863/A. They consider that there have been significant contextual changes since.

The issues are considered to result from the building being openable on two sides, meaning the advertisements are clearly visible out in the open street and from surrounding conservation areas. This leads to a number of issues CGCA believe should be managed by conditions. These are summarised below:

- Danger to road safety – adverts likely to distract drivers travelling south down Tottenham Court Road and will remove the focus of attention for pedestrians at a busy junction. The context has changed since the original application – there is now southbound traffic on Tottenham Court Road (i.e. it is two-way). This potential distraction must be minimised and limits on the use of moving images and brightness should be imposed. A trial period should also be agreed to reconsider the arrangements
- Harm to amenity – the proposals have the potential to impact due to screens of several storeys. The CGCA suggest a 'U' classification of all content, and a ban on political content. They should also not flash, move quickly or be too bright. No noise should emanate from the building as a result of the equipment or its content. The facades should not be open during antisocial hours. CGCA suggest 8am-10pm, with a shorter window preferably on a Sunday

Officer Comments:

- *The opening hours are controlled under the extant permission under 2012/6858/P. There are also requirements for a review of the operation of the advertisement consent and use of the Urban Gallery following two years of operation. If the advert screens (or any other*

part of the operation) cause issues then the Council would be in a position to review/amend/reconsider the proposals. Advertising consents are also consented for 5 years after the date of approval, with the Council possessing the ability to issue a discontinuation notice after it lapses

- The suggested TfL restrictions are already controlled via planning conditions under 2012/6858/P*
- The suggested restrictions on classifications and subject matters cannot be controlled under the Advertising Regulations. The adverts are digital LED screens so would not be static*
- Officers do not consider that there have been considerable contextual changes since the original advertising consent was granted. The majority of the changes – the Derwent scheme, new Tottenham Court Road entrances, Centre Point conversion and works, West End Project – were under construction, consented or planned at the time and were anticipated when the permission was granted in 2015*
- The matters relating to road safety and amenity have already been assessed and negotiated with Camden under the S106 and planning conditions under the St Giles redevelopment ref. 2012/6858/P*

<p>City of Westminster objection on 01/06/2020:</p>	<p><i>Reason(s) for Objection:</i></p> <p><i>1 The proposed advertisements are considered wholly unacceptable, by reason of their design, appearance, size and location. They will be seriously harmful to the setting of the Soho Conservation Area, to local views and the settings of adjacent listed buildings.</i></p> <p><i>Informative(s):</i></p> <p><i>1 The City Council considers that this location is unacceptable in principle for the display of large scale advertisements.</i></p> <p><u>Officer Comments:</u></p> <p><i>Officers note that Westminster made similar objections to the previously approved advertising consent under 2012/6863/A and these have been reiterated. The objections have been taken into account and are covered within the heritage section of the officer report below. It is noted that historically this site had very large advertising hoardings and that the principle of this advertising has been granted by Camden Council under 2012/6863/A</i></p>
<p>Bloomsbury Association objection on 01/06/2020 (letter dated 17/05/2020):</p>	<p>The Bloomsbury Association objected with a six page letter, making a number of main points that are summarised below.</p> <ol style="list-style-type: none"> 1) The need for review – a lot has changed since the original permission, including the implementation of the West End Project; Westminster’s emerging proposals for the Oxford Street District; residential development nearby; policy and new attitude to use of the public realm due to the ongoing Covid-19 pandemic. This is an appropriate time for the Council to reflect and reconsider and review the proposal 2) Spatial impact – prior to the current development commencing, the northern flank walls of the buildings were used for advertising hoardings for several decades. The current proposal must therefore be regarded as following this pattern. The submission seeks to argue that footfall and passing vehicles provides a strong business case for a revenue-generating, immersive advertising experience and performance venue with only token consideration of the impact on amenity and the appearance and character of the streetscape and the conservation areas that they are a part of. This might have been regarded as the way forward ten years ago but things have moved on 3) Planning policy – fails to meet Local Plan Policy D4, including parts 7.81 (a) and (b), and meets the criteria described in 7.81 (e), (f) and (g), which the Council would resist. Guidance states the planning authority may consider only two issues in addition to local policy statements; these are described as the interests of amenity and public safety 4) Amenity – proposals would 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,

from Soho Square. Detrimental to the adjacent conservation areas, harmful intrusion into distant views from Oxford Street, Charing Cross Road, Sutton Row and along Tottenham Court Road. Its scale and bulk would have a damaging visual impact on important local views from adjacent Conservation Areas such as Bloomsbury, Hanway Street, Soho and Denmark Street. 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. Damaging to the setting of St Patrick's church when viewed from Soho Square

- 5) **Noise** – this proposal would make a lot of noise. A noise mitigation plan has yet to be prepared, agreed and incorporated into the design before operation. It is not sensible to rely on environmental assessments completed in December 2012
- 6) **Light** – light pollution would impact on the amenity of residential uses directly opposite in Centre Point, Centre Point House, Matilda House and on Charing Cross Road. It may also have an effect on residential uses on the upper floors of 5 Great Russell Street, Hanway Street and Medius House on New Oxford Street, currently under construction
- 7) **Public safety** – would distract drivers approaching the junction of Oxford Street and Tottenham Court Road. At this point there are traffic light controlled pedestrian crossings. The West End Project has now part implemented proposals for two-way traffic on Tottenham Court Road. The Road Safety Assessment was prepared in December 2012. It is too old to be relied upon and includes no mention of the West End Project and the associated new traffic arrangements
- 8) **Precedent** – proposals are similar to previous proposals 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 Council should refer to the following. An application for a similar advertisement for the St Giles Hotel (ASX 0105177) was refused permission on 13 November 2001. Another similar application for the St Giles Hotel was refused planning permission on 21 December 2010. The Council's attention is also drawn to their refusal of a similar proposal under application 2015/3210/A, which was upheld at subsequent Appeal in November 2015, reference APP/X5210/Z/15/3134986

Officer Comments:

- 1) *Officers do not consider that there have been considerable contextual changes since the original advertising consent was granted. The majority of the changes – the Derwent scheme, new Tottenham Court Road entrances, Centre Point conversion and works, West End Project – were under construction, consented or planned at the time*
- 2) *The host building is within a Central London site which has epitomised the decline in retail/music/culture. This wider scheme and these proposals involve the investment in these traditional Central*

London uses and will help bring this area back to life

- 3) These aspects are addressed in detail in the main body of the report below (sections 4-6)*
- 4) The original application was supported by an Environmental Impact Assessment (EIA) and the current proposals are supported by a Townscape Assessment. Officers consider that the proposals cannot be seen from the majority of the points noted*
- 5) This is a requirement of the S106 and planning conditions secured under 2012/6858/P. A noise management plan would be prepared and agreed by the Council before the operation and occupation of the relevant part of the site. There are also requirements for a review of the operation of the advertisement consent and use of the Urban Gallery following two years of operation. If the advert screens (or any other part of the operation) cause issues then the Council would be in a position to review/amend/reconsider the proposals. Advertising consents are also consented for 5 years after the date of approval, with the Council possessing the ability to issue a discontinuation notice after it lapses*
- 6) These matters would be addressed via a relevant planning condition secured under 2012/6858/P, requiring a full light assessment*
- 7) The Road Safety Assessment was written in the context of southbound traffic only, as this is the traffic that would be able to view the advertising. The Council's Transport Officers have assessed the document and consider it adequate*
- 8) As stated above these identical proposals have already been approved on this site under 2012/6863/A, only lapsing due to a global pandemic. These proposals are not like anything put forward before, and just because it is novel does not make them unacceptable. The screens are an integral part of a much bigger development, bringing third-wave retail to the high street, working with the music uses of Denmark Street, sharing news, culture and entertainment and bringing much needed visitor spend to this part of Central London*

Site Description

The application site relates to a substantially implemented urban gallery building facing onto St Giles Square, which has been constructed in accordance with a wider planning permission under 2012/6858/P. The building is intended to provide an internalised open space for use by members of the public passing through the site, or for people visiting the site as a destination in its own right. It is fully openable at ground floor on three sides and on two sides at floors 1-3 of the building. It forms a part of the wider St Giles Circus development.

The wider site is located close to the junction of Oxford Street, New Oxford Street, Tottenham Court Road and Charing Cross Road within the Denmark Street Conservation Area. It contains a number of listed buildings including 59 St Giles High Street; 6, 7, 9, 10, 20, 26 and 27 Denmark Street and is adjacent to the grade I listed St Giles in the Fields Church. St Giles High Street and Charing Cross Road lie to the east and west and the wider site contains properties on the northern and southern sides of Denmark Street.

The main site is split into Zones 1 and 2 and Zone 3. Zones 1 and 2 include the area north of Denmark Street bounded by Charing Cross Road, Andrew Board Street and St Giles High Street and 20-28 Denmark Street (north). Zone 3 includes the area south of Denmark Street (Nos 4,6,7,9 and 10 Denmark Street and 1 Brook Street and 4 Flitcroft Street). It is located within the Seven Dials Special Policy Area in the Camden's Statement of Licensing Policy (2011).

The wider area around the site is characterised by many of London's most popular visitor attractions, including the British Museum, Covent Garden and Oxford Street. Interspersed within the above are residential and other small and large-scale retail uses.

This area has been subject to, and will be the subject of, considerable change with several major redevelopment proposals taking place including the enlargement of the Tottenham Court Road Underground Station ticket hall; the West End Project; implementation of Crossrail; redevelopment of the two Tottenham Court Road station over site developments in Westminster at 135-155 Charing Cross Road and 1-23 Oxford Street/157-165 Charing Cross Road and the conversion of Centre Point Tower from office to residential and associated affordable housing and retail/restaurant uses at Centre Point House.

This application is submitted in the context of a series of related permissions for the redevelopment of the wider St Giles Circus area including 2012/6858/P and others mentioned below under relevant history).

Relevant History

Planning permission was granted on 31 March 2015 under **2012/6858/P** for redevelopment of the wider site including:

- erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place)
- demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions
- 2895sqm of basement Event Gallery space (Sui Generis)
- a 678sqm urban gallery with 1912sqm of internal LED screens (Sui Generis)
- 884sqm of flexible retail and restaurant floorspace (Class A1/A3)
- 2404sqm of restaurant floorspace (Class A3)
- 385sqm of drinking establishment (Class A4)
- 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street
- change of use 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space (Class B1a)
- 2,959sqm of private residential floor space (Class C3)

- 239sqm of affordable housing (Class C3)
- 2540sqm of retail floor space (Class A1)
- new pedestrian route from Andrew Borde Street to Denmark Street at ground floor level and associated partial demolition at 21 Denmark Street

In addition to the above approval, a number of associated applications were approved including Conservation Area Consent (ref: 2012/6860/C); Advertisement Consent (ref: **2012/6863/A**); planning permission at 71 Endell Street for change of use from office to affordable housing (ref: 2012/6861/P) and various listed building consents ref: 2012/6872/L, 2012/6864/L, 2012/6867/L, 2012/6868/L, 2012/6869/L, 2012/6870/L, 2012/6871/L.

A Minor Material Amendment was granted on 08/08/2016 under **2015/3900/P** for changes to 4 Flitcroft Street, 1 Brook Mews and 4 Denmark Street. The approved amendments include alterations to design and materials and changes to approved layout of the development including the internal reconfiguration of Buildings A,B,C and D, alterations to internal layout and shopfronts in Denmark Street (north) and alterations to 4 Flitcroft Street including changes to roof pitch of approved rear extension.

A Minor Material Amendment was granted subject to a Section 106 legal agreement on 15/02/2017 under **2015/6939/P** and **2015/6937/L** for repairs and restoration to 22 Denmark Place and 26 Denmark Street; the demolition and rebuilding of 23 Denmark Place; the temporary removal of 22 Denmark Place and a lower ground floor and basement extension to create additional venue space.

Minor Material Amendments were approved under **2016/5692/P** and **2016/5690/P** (both granted subject to Section 106 on 16/01/2019) to amend conditions 33 (hours of operation for A1, A3 and A4 uses), 34 (hours of operation for urban gallery and basement venues), 49 (capacity of urban gallery and basement venue) and remove condition 50 (number of events per month in urban gallery and basement venue) of planning permission 2012/6858/P.

A Minor Material Amendment is currently being considered under **2020/1669/P** (registered on 20/04/2020) for the removal of condition 53 (No loading or unloading of goods outside the following times: 07:00-20:00 Monday to Saturday and 08:00 - 20.00 Sunday and on Public/Bank Holidays) of planning permission 2012/6858/P dated 31/03/15.

Relevant policies

NPPF 2019

London Plan 2016

Draft New London Plan 2020

Camden Local Plan 2017

Policy G1 (Delivery and location of growth)
 Policy A1 (Managing the impact of development)
 Policy A4 (Noise and vibration)
 Policy D1 (Design)
 Policy D2 (Heritage)
 Policy D4 (Advertisements)
 Policy T1 (Prioritising walking, cycling and public transport)
 Policy T3 (Transport infrastructure)
 Policy T4 (Sustainable movement of goods and materials)
 Policy DM1 (Delivery and monitoring)

Camden Planning Guidance (CPG)

Adverts CPG – March 2018
 Amenity CPG – March 2018
 Design CPG – March 2019
 Digital Infrastructure CPG – March 2018

Denmark St Conservation Area Appraisal and Management Strategy (March 2010)

Assessment

1.0 Background

Wider site/development and original advertising consent

1.1 As mentioned in the site description and relevant history (above), the proposed advertisement consent relates to a substantially implemented Urban Gallery building constructed in accordance with a wider planning permission under 2012/6858/P. This planning permission was granted on 31st March 2015 for the redevelopment of St Giles Circus for a large major regeneration project including three buildings (4, 5 and 7 storeys); 2,895sqm of basement Event Gallery space; a 678sqm urban gallery with 1,912sqm of internal LED screens (what these proposals seek to renew); 884sqm of flexible retail and restaurant floorspace; 2,404sqm of restaurant floorspace; 385sqm of drinking establishment; a 14 bedroom hotel; 4,308sqm of office floor space; 2,959sqm of private residential floor space; 239sqm of affordable housing (Class C3) and 2,540sqm of retail floor space. Further details are set out in the site description and relevant history sections above. The Planning Committee Report can be on the Council's website at the following link:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/2800511/file/document?inline>

1.2 The above proposals included a large suite of planning permissions, listed building consents, conservation area consents and advertising consent under 2012/6863/A. The granted advertising consent is identical to the proposals put forward now. Within the Committee Report (link above), which assessed the advertising consent application along with the main consent, the proposals were assessed in detail. Public safety is assessed in paragraphs 6.7.3-6.7.9 and the urban design and heritage parts of the Committee Report begin at paragraph 6.4. The Committee Minutes for when the main permission and advertising consent were considered is attached as Appendix 1 to this report.

1.3 The development under 2012/6858/P placed music at its heart; delivered 50% of its uplift in commercial floorspace as housing and of that uplift circa 50% as affordable; made a £6 million contribution to the West End Project and the retail on Denmark Street was restricted to music related uses. The scheme contributed to the new St Giles Circus Square and work is on-going to reduce crime and anti-social behaviour in the area. The advertisement consent proposals were not 'standalone', rather assessed as related to the wider, overarching redevelopment of St Giles Circus. The symbiotic nature of the separate elements of the wider scheme means that the whole cannot work without all its parts. It is noted that the rapid spread of Covid-19 and the decision to close the construction site down before the screens were fully operational (as consented under 2012/6863/A) has led to the need for a new express consent to enable this development to be delivered and operated in the manner for which it was always intended.

Conditions and obligations relating to the advertising consent under 2012/6858/P

1.4 A number of planning conditions and obligations are secured under the main permission to control the advertisements. These would apply in the event of a new advertisement consent being granted. Planning conditions were attached to the extant planning permission for the wider redevelopment of the area (ref. 2012/6858/P) which control the luminance and the acoustic levels of the screens within proposed building, noise levels and the times of the Urban Gallery include:

25) Prior to occupation of the urban gallery in building A - a lighting report shall be submitted to and approved in writing by the Local Planning Authority detailing how the artificial lighting within the urban gallery (digital screens and any other lighting) shall not increase the pre-existing illuminance (lux levels) at adjoining and/or nearby light sensitive locations when the screens and lights are in operation

26) Prior to occupation of any of the approved uses, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority, having regard to condition 27 and including a noise mitigation strategy, detailing:

- The location and direction of any speakers in the urban gallery;
- Method of transporting deliveries, refuse and associated servicing to and from the service bays on Denmark Street, including any bottle crushing;
- Location of smoking areas;
- Location of external tables and chairs;
- The operation of the upper floor louvres to building A and B; and
- The use of the residential roof terrace at 21-25 Denmark Street.

27) Noise levels emitted from the use of the urban gallery (from the digital screens and associated speakers) shall be as follows:

Between 07:00 and 23:00 hours

1. The A-weighted equivalent continuous noise level (LAeq) emanating, as measured one metre from any facade of any noise sensitive premises over a 5 minute period when the screens and speakers are in use, shall not increase by more than 5dB as compared to the same measure, from the same position and over a comparable period with the screens and speakers not in use.
2. The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any five minute period with the screens and speakers in use, should show no increase as compared to the same measure, from the same location(s) and over a comparable period with the screens and speakers not in use

28) Between 23:00 hours and midnight

1. The A-weighted equivalent continuous noise level (LAeq) emanating, as measured one metre from any facade of any noise sensitive premises over a 5 minute period when the screens and speakers are in use, shall not increase by more than 3dB as compared to the same measure, from the same position and over a comparable period with the screens and speakers not in use.
2. The neighed equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any five minute period with the screens and speakers in use, should show no increase as compared to the same measure, from the same location(s) and over a comparable period with the screens and speakers not in use

29) Between midnight and 07:00 hours

1. No sound emanating from the operation of the screens or speakers shall be audible a metre from the facade of the nearest noise sensitive premises.

1.5 Within the S106 of the main permission a Venue Management Plan (VMP) and Event Management Plan (EMP) have been secured. These will apply to the Urban Gallery building (within which the adverts would be located). Some of the relevant measures include:

- An advanced list of upcoming events in the venues in each quarter to the Council's Licensing Department with any additional event specific information to enable the Council to assess the potential impacts of specific events on public safety and the local highway network
- Details of when the louvres of the Urban Gallery will be closed (and partially closed) always ensuring that the louvres are not at any time fully open (i.e. to prevent the advert screens being completely visible from outside of the building)

- Proposals to integrate public safety and security measures
- Details of the digital screens – including requiring an element of use for a combination of commercial advertising and public information; 15% air time of screen space of 10 sqm available at nil cost in each 24 hour period at times which make it meaningfully accessible for allocated users for public information, community use and/or transport information; 15% air time of screen space of 10 sqm available in each 24 hour period at times which make it meaningfully accessible at a cost no more than 65% of the commercial rate for Tin Pan Alley (i.e. local music) uses; 15% air time of screen space of 10 sqm available in each 24 hour period at times which make it meaningfully accessible for small and medium sized local retailers

Implementation of advertising consent under 2012/6863/A

1.6 Works took place throughout February and March 2020 in order to get the approved screens installed before the previous advertisement consent expired. The works were programmed to have the installation completed and screens live by 30th March 2020, which would have made the adverts lawfully implemented. Once an advertisement consent expires, a local planning authority has to issue a discontinuation notice to get any advert(s) removed. Although the screens were partly implemented, due to them not being fully activated the advertisement consent has now lapsed, hence the resubmission of the same proposals.

1.7 Works to install the screens were well advanced (with fixings and connectivity works complete); however, the escalation of Covid-19 resulted in all construction activity to cease on-site on 24th March 2020. The final stage of install and testing the screens was cancelled due to health and safety reasons.

Concept of St Giles Circus redevelopment and proposals

1.8 The ambition for the St Giles Circus proposal is to make it an internationally recognised destination for commerce, culture, creativity, information and inspiration for the heart of London. The consented development is seeking to create a unique, mixed-use place to fuse events, hospitality, information, retail and leisure. St Giles Circus is an area with a long-standing culture and the rejuvenation of the area through the renewal and continuation of its cultural heritage is a defining part of the area's identity.

1.9 The development will showcase world leading creative culture by hosting events that share what is in the area with a wider audience. It will feel and act like a venue or an exhibition but not one where you physically have to be there. The Urban Gallery – now branded as Outernet Global – sits at the heart of this. This is an ever-evolving space which provides and receives information from its users and editors – a space that's always changing, informing and educating. The Urban Gallery is to be a 'culture beacon', a starting point within the city - inspiring people to experience the best London has to offer. Inside the development, there will be a mix of uses, including a flexible brand gallery with a programme of events, news, products, showcase retail and ongoing information stream that delivers up-to-date streams of content, such as the weather, transport, recommended places to visit, alongside new and up-coming events.

1.10 It is within the Urban Gallery that the proposed digital screens would sit, and it is around these screens that the concept of the Outernet has emerged, grown and taken shape. Without these screens the Urban Gallery is just a space, an empty building. The concept which has been used to deliver the basement venue and the grass roots music venue would be gone. The pro-bono recording studio on Denmark Street would be lost.

2.0 Proposal

2.1 Advertising consent is sought for 1,912sqm of internal LED screens within the recently constructed Urban Gallery as part of the St Giles Circus Development. The building provides an internalised open space for use by members of the public passing through the site, or for people

visiting the site as a destination in its own right. The building is openable at ground floor on three sides and on two sides at floors 1-3 of the building, enabling physical and visual permeability through the building from Charing Cross Road, St Giles Square and from the Tottenham Court Road and Crossrail station.

2.2 The Urban Gallery (and associated screens) form part of The Outernet (www.outernetglobal.com), which will be the first of a global network of immersive entertainment districts showcasing music, film, arts and retail experiences. The digital LED screens are central to The Outernet operation, providing a curated digital environment. The proposals seek to move away from conventional advertising, to engage people in new and relevant ways. The proposed digital skin would be used to interact and engage with people. It is intended to be like an ever-changing media channel that provides information like a smartphone or tablet, whilst also receiving information from its users and programmers.

2.3 The advertisement displays proposed by this application are identical to those previously approved under express Advertisement Consent (ref. 2012/6863/A). This expired on the 31st March 2020 as the developer was aiming to get the screens up and running, but delayed due to the outbreak of Covid-19 (as explained above).

2.4 As mentioned, the proposals are for the installation of 1,912sqm of internally illuminated intermittent LED display to the internal walls, ceiling and floor of the Urban Gallery. The dimensions of the screens are:

- Height: 23m x Width: 29m x Depth: 14m
- Height: 15m x Width: 29m x Depth: 1m
- Height: 11m x Width: 14m x Depth: 1m
- Height: 11m x Width: 22m x Depth: 1m
- Height: 11m x Width: 23m x Depth: 1m
- Height: 29m x Width: 14m

2.5 The proposed screens are within the building, along the back wall, side walls, interior floor and the interior soffit. There would be two movable screens which slide across the north and west openings that would project into the Urban Gallery building. No adverts sit on the exterior of the building and no adverts are projected outside of the building. The only time the screens would be visible outside of the building is when the moveable screens are retracted (making them external adverts, as they are visible from outside the building, hence the need for advertising consent).

2.6 The screens would showcase hi-culture and popular culture, the arts, sports and technology, alongside annual traditions. They would be in-tune with a broad and diverse London audience. The programmable nature of the place would mean that many types of content (from charity to commercial, from artistic to informative) would be available to everyone, at appropriate times of the day. The streams of information include - local and global news and information, shopping and retail, seasonal, education and inspiration, coverage and activation of music, film, fashion, charity and cultural events. There are many additional applications for the digital content including useful information late at night, localised promotions in Camden, alerts and also useful information about what is happening within the St Giles suite of spaces. The content adapts to those that are around to experience it. For example, rush hour has a very different feel to what's on offer in the middle of the afternoon, or later in the evening.

3.0 Assessment

3.1 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. The below report assesses amenity in terms of visual amenity on townscape and

heritage, as well as residential amenity including noise and light pollution. For public safety the assessment focusses on highways, pedestrian and cyclist safety.

4.0 Townscape and Heritage Impacts

4.1 The site of the proposed advertising is located to the south of Centre Point Tower and the new Tottenham Court Road station entrance. It is bounded by Charing Cross Road and located near the intersection with Tottenham Court Road, New Oxford Street and Oxford Street. The area has been (and continues to be going through) a state of change as a result of the major developments in the area, including new Crossrail station which now provides a tall entrance structure to the north of the site on the location of the former fountains. Development has been substantially completed across Charing Cross Road in Westminster for the old Astoria site. As part of the Crossrail works, new public space will be created by pedestrianising Andrew Borde Street (between the site and the Crossrail entrance). Recent works have formed a plaza between Centre Point Tower and House by closing St Giles High Street. Key urban design moves were made through the wider permission for the application site to coordinate with these other developments in term of building line, routes, and massing.

4.2 The Urban Gallery building the proposals would lie within, is a northern block on the site deigned to have an expressed frame which forms the four corners and the shoulder. The building is clad in faience, a glazed ceramic tile, with an attic floor above of minimally detailed glass. The main facades are detailed as natural copper panels, glazing, and glazing with a copper mesh interlayer. The façades are divided into three sections - at the bottom is a base (equivalent to a shop front zone) which will be either open or glazed when closed. Above are two zones of rotating panels. When in the closed position the panels will be in the same plane as the façade resulting in a 50/50 proportion of glazing to solid. As the panels can be closed and open, the façade will in various states of change at different times, which will add interest and character. Once the panels/louvres are opened, the proposed advertising screens will be visible. These louvres would therefore animate the façade and reduce the impact of the screens inside of the surrounding area and designated heritage assets (including surrounding listed buildings and conservation areas).

4.3 In addition to the detailed analysis undertaken within the Environmental Impact Assessment to support the consented development under 2012/6858/P (and associated original advertising consent), which has been submitted in support of these proposals, the applicant has produced a Townscape and Visual Impact Assessment to support the advertising consent proposals. The highest point of any visual impacts would be when the louvres are retracted to make the internal screens visible from the surrounding area. This impact would be reduced by the pivoting louvres that would in effect partially screen the advertisements.

4.4 The screens would be prominent in views from the intersection of Oxford Street and Charing Cross Road. It would sit centrally between the 1960s modernist architecture of the grade II listed Centre Point and the more recent Tottenham Court Road Station (and neighbouring scheme in Westminster). Historic elements, such as the spire of St Giles Church, would be in the background and periphery of the Urban Gallery building. In terms of night-time impacts, planning conditions are placed through the main consent (2012/6858/P) to ensure that light levels omitted from the screens and Urban Gallery do not compete with the brighter lighting indicating the station entrances and the other uses in the area, including the individual building uses such as the residential flats at Centre Point.

4.5 Another crucial location is at the new pedestrian crossing on Charing Cross Road, which leads through the site, the station entrance and new public space. When the louvres are partially opened there would be a view of the screens inside the Urban Gallery. The digital LED screens are considered to add interest to a modern development and would result in greater pull into the Urban Gallery and other parts of the wider site, including the historic Denmark Street behind.

4.6 Overall, the proposals are considered to preserve designated heritage assets and the townscape generally. It is acknowledged that the proposals form part of a modern major redevelopment project in an area that has undergone and continues to go through significant change. Planning conditions

would allow the monitoring, control and review of the impacts of the adverts to ensure they do not cause amenity impacts, both generally and on the urban and historic environment.

5.0 Residential Amenity

5.1 The proposed advertising screens and associated events and activities as part of the wider development have the potential to impact on nearby residential occupiers. As highlighted in paras 1.3 and 1.4 of this report, the original consent secured conditions requiring a lighting report and noise management plan, noise level restrictions, as well as a Venue Management Plan (VMP) and Event Management Plan (EMP) within the S106. These conditions and obligations would control the use of the Urban Gallery (where the adverts would be located) and the level of light and noise emanating out from then. A summary of the details that need to be submitted and agreed include:

- A lighting report detailing how the artificial lighting within the Urban Gallery (including from the digital screens as well as any other lighting) would increase the pre-existing luminance levels at adjoining and/or nearby light sensitive locations when the screens and lights are in operation
- A Noise Management Plan, including details of the location and direction of any speakers in the Urban Gallery and operation of the louvres of the building
- Compliance conditions on noise levels from the digital screens and associated speakers (see para 1.3 for conditions in full), including no increases in noise over certain amounts during the day and no sound emanating between midnight and 07:00 hours
- Advanced list of events
- Details of when the louvres would be closed on the Urban Gallery (i.e. when the louvres are closed the adverts would only be visible inside the building)
- Proposals to integrate public safety and security measures

5.2 Further to the above, there are also requirements for a review of the operation of the advertisement consent and use of the Urban Gallery following two years of operation. If the advert screens (or any other part of the operation) does cause issues then the Council would be in a position to review/amend/reconsider the proposals. Advertising consents are also consented for 5 years after the date of approval, with the Council possessing the ability to issue a discontinuation notice after it lapses.

5.3 On this basis, officers consider that any impacts would be properly scrutinised and reviewed as part of the operation of the adverts and wider development.

6.0 Highway Amenity and Public Safety

6.1 With regard to vehicle safety, the site is located approximately 150m from the St Giles Circus Junction (Charing Cross Road, Oxford Street, New Oxford Street and Tottenham Court Road). Recent works have resulted in a new pedestrian crossing on Charing Cross Road. The proposed advertisements would be particularly visible to traffic travelling southbound along Tottenham Court Road and Charing Cross Road and could distract road users in the vicinity of the new pedestrian crossing. A road safety assessment has been submitted with the application, including the original document in support of 2012/6858/P and 2012/6863/A, with an addendum attached.

6.2 The assessment focusses on Charing Cross Road as it represents the 'worst case'. This is not to imply that the screens will not be visible from more distant views, rather that the screens would be seen fleetingly and with a greatly reduced impact from other areas. In short, as Charing Cross is the most impacted, if it is safe for this road it is safe for the roads further away.

6.3 There would be a controlled crossing on Charing Cross Road, which has a pedestrian crossing phase in a similar manner as most in Central London. In summary, the conclusion of the Road Safety Audit was that due to southbound traffic being mostly limited to buses and taxis – the risk of conflict

through distraction would be small. Speeds are naturally limited by the fact that a crossing sits due south of the major traffic junction at Tottenham Court Road/Oxford Street/New Oxford Street/Charing Cross Road and as such there would not be an opportunity for vehicle speeds to increase significantly prior to the pedestrian crossing. Traffic congestion is also likely to limit speeds. The screens would mostly be visible to south bound traffic and there are controls requiring the building to be fully closed between midnight and 07:00 each day.

6.4 There would be approximately 20m between the top of the Crossrail escalators and the Urban Gallery. Communication with Transport for London (TfL) would take place so that, in the event of an emergency, measures could be taken to aid dispersal such as closing the louvers or changing the content of the LED screens.

6.5 As mentioned above, there are also requirements for a review of the operation of the advertisement consent and use of the urban gallery following 2 years of operation. There would be a Venue Management Plan which would cover dispersal, amongst other issues, and the applicant would have to submit details of events proposed for next year to the Licensing Team. Close liaison with TfL and the content of the screens in the urban gallery could be changed if a situation required it.

6.6 As part of the original submission, the applicant also submitted a pedestrian assessment measuring 'level of comfort' to the pedestrian routes surrounding the site (number of pedestrians per sqm per minute). This confirmed that whilst pedestrian activity would be highest around exit/entrances to the new Crossrail Station and to the pavements on Charing Cross Road, there would not be likely to be unacceptable pedestrian overcrowding issues. The Venue Management Plan clause secured as part of the S106 to the main scheme includes management coordination with London Underground Limited (LUL) and the police with regard to emergency and overcrowding situations (for example with an emergency closure of the louvers or shut down of the screens to help disperse crowds).

6.7 The approved scheme for the Urban Gallery was amended to remove the option of completely opening the upper floor level louvers. The views of the screens to traffic users would therefore be slightly obscured by the 'closed' or 'partially open' louvers.

6.8 On this basis, officers consider that the proposal would not result in undue harm to highway or pedestrian safety and that there are sufficient management and review mechanisms in place to capture any issues in case they do eventuate.

7.0 Conclusion

7.1 The application for advertisement consent has been assessed under the Town and Country Planning (Control of Advertisements) Regulations 2007, which permits the Council to only consider Amenity and Public Safety matters in determining Advertisement Consent applications. On balance, officers consider that the proposal is acceptable on this ground, subject to the controls and reviews secured under the wider permission ref. 2012/6858/P.

8.0 Recommendation: Grant Conditional Advertising 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 08/06/2020, 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

Appendix 1 – Development Control Committee Minutes from 07/11/2013

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **DEVELOPMENT CONTROL COMMITTEE** held on **THURSDAY, 7TH NOVEMBER, 2013** at 7.00 pm in the Council Chamber, Town Hall, Judd Street

MEMBERS OF THE COMMITTEE PRESENT

Councillors Sue Vincent (Chair), Roger Freeman (Vice-Chair), Paul Braithwaite, Sally Gimson, Phil Jones, Valerie Leach, Chris Naylor, Flick Rea and Matthew Sanders

MEMBERS OF THE COMMITTEE ABSENT

Councillors Meric Apak, Jenny Headlam-Wells, Heather Johnson, Andrew Marshall, Milena Nuti, Lazzaro Pietragnoli and Laura Trott

ALSO PRESENT

Councillors Julian Fulbrook

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of this Committee.

MINUTES

1. APOLOGIES

Apologies for absence were received from Councillors Apak, Headlam-Wells, Johnson, Nuti, Marshall, Pietragnoli and Trott.

2. DECLARATIONS BY MEMBERS OF PECUNIARY AND NON-PECUNIARY INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA

It was noted that most Members had attended presentations on site and developer briefings in relation to Item 7(2-13) St Giles Circus.

In relation to Item 7(15) The Victoria, Councillor Naylor declared that he had objected to the application and would be stepping down from the Committee for the duration of the item and addressing the Committee as an objector.

In relation to Item 7(15) The Victoria, Councillor Sanders declared that he had objected to the application and would be stepping down from the Committee for the duration of the item.

In relation to Item 7(18) 36 St Albans Road, Councillor Gimson declared that she knew the applicant but had not discussed the application and did not consider this to be a prejudicial interest.

In relation to Item 7(18) 36 St Albans Road, Councillor Leach declared that the applicant was known to her and she had discussed the process with him but not the substance of the application. She did not consider this to be a prejudicial interest.

It was noted that all Members had received correspondence on various applications on the agenda but had not responded to it.

For the purposes of transparency, Councillor Vincent declared that she worked for Urban Design London which was hosted by Transport for London.

3. ANNOUNCEMENTS

Webcasting

The Chair announced that the meeting was being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made available to those that requested them. Those seated in the Chamber were deemed to be consenting to being filmed and those addressing the Committee would be recorded and broadcast. Anyone wishing to avoid appearing on the webcast was asked to move to one of the galleries.

4. REPRESENTATIONS TO THE COMMITTEE

RESOLVED –

THAT the written submissions and deputation requests set out in the supplementary agenda be accepted.

5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There was no notification.

6. MINUTES

RESOLVED –

THAT the minutes of the meeting held on 17th October 2013 be approved and signed as a correct record.

7. PLANNING APPLICATIONS

Consideration was given to a report of the Director of Culture and Environment.

(1) ABBEY CO-OP HOUSING SITES AT CASTERBRIDGE, SNOWMAN, EMMINSTER AND HINSTOCK AND ABBEY CO-OP COMMUNITY CENTRE AND BELSIZE ROAD CAR PARK, ABBEY ROAD, LONDON NW6 4DP

Consideration was given to the additional information contained in the supplementary agenda and to the deputations and written submission referred to in Item 4 above.

In response to questions, the officers made the following additional comments:-

- Some of the existing open space was not currently usable and overall the scheme would lead to significant improvements to amenity space and Belsize Open Space, as well as the new public courtyard. There would be more public open space than in the approved outline planning permission.
- In addition, the ground floor units would all have gardens and the upper flats would have balconies or terraces or both, matching, or in some cases exceeding, the requirements of the London Plan.
- Approval to remove the trees shown in blue on the committee presentation had already been given. Those shown in red were additional removals which officers considered to be acceptable and those shown green would require a case-by-case analysis to demonstrate that removal was justified. In due course, there would be a net gain of at least 10 street trees.
- All landscaping was a reserved matter for future consideration by the Committee.
- With regard to the bulk and massing of phase 1, a single road width had been taken out of the middle of the block but there was now a break between the tower and the terrace. In addition, phase 3 had previously been twice as long along Belsize Road and the outline parameters showed a significant reduction in the length on the north side of the road.
- In relation to the traffic junction, a new crossing was proposed for Belsize Road and officers were working with the applicant's designers to investigate the possibility of removing the signals and employing alternative traffic calming measures.
- All three phases were linked by condition and the shadow Section 106 agreement, meaning that once the scheme had begun it had to be completed.
- Environmental Impact Assessments (EIA) were only carried out on sites where there was a significant change in scale or likely impact of the development. This site already contained a large urban form and it was considered that the degree of change did not require an EIA.

In discussion, Members made the following remarks:-

Development Control Committee - Thursday, 7th November, 2013

- Concern was expressed about the lack of public open space in Phase 1 of the development and the fact that residents with young children would have to cross a very busy road to access the only play space in the area.
- Whatever changes were made to the junction, it would continue to be very busy and present safety concerns.
- Open space in the middle of the junction would not in reality be used and nor would the space behind the houses. The only other open space was across the road.
- It was unfortunate that some social housing had been lost and the applicant should have sought a lesser return for the Community Investment Programme and provided more affordable housing.
- There was some concern about the bulk of phase 1, particularly with little open space to mitigate this.
- Strong concern was expressed about the loss of trees – it was hoped that the trees that were earmarked to be removed under the existing outline permission could be reviewed as phase 3 was no longer the same shape as it had been.
- The removal of the trees shown in red on the committee presentation should be considered on a case-by case basis, in the same way as was proposed for those shown in green.
- Any replanting should be as close to the junction as possible in order to mitigate somewhat the pollution in that area.
- This scheme would provide new homes for people who currently lived in poor conditions.
- Describing pavements as public amenity space was stretching credibility.
- It was surprising that this site had achieved a PTAL score of 6a (excellent) as this did not reflect the reality of public transport provision in the area.

The applicant confirmed that all the trees earmarked to be lost in Phase 3 could be reviewed, although it should be noted that the required removal of trees on Abbey Road were on a building line that had not changed since the outline permission. In total 44 trees would be lost but there would be 91 replacements, all of them significant trees. In relation to affordable housing, the 2012 permission had been for upto 296 units of which 116 would be affordable. This application was for 241 units of which 114 would be affordable. Regarding open space, there was 10,305m² in this proposal, of which almost 2000m² was the central junction. This left more than 8000m², which included Belsize Open Space and the public realm on either side of the carriageway. The Cabinet Member for Housing confirmed that the development was a key housing scheme and, once started, would be completed.

On being put to the vote, with 5 in favour, 0 against and 3 abstentions, it was

RESOLVED –

THAT full planning permission for Phase 1 and outline planning permission for Phases 2 and 3 be granted subject to conditions and a shadow Section 106 legal agreement, as set out in the report and the addendum, subject to referral to the

Mayor under the Town and Country Planning (Mayor of London) Order 2008 and subject to the following additional condition:-

Prior to commencement of development in phases two or three a detailed tree removal statement shall be submitted to and approved by the local planning authority. Such statement to set out the justification and mitigation measures for the removal of each of the following trees :

8 to 19 inclusive, 19a, 20 to 37 inclusive, 49 and Group1, as shown on the tree removal plan PL_L02.

Such justification to be supported by

- i. arboricultural evidence of existing root protection areas,
- ii. plans setting out the existing and proposed site levels for the relevant areas of public realm and
- iii. the position of proposed buildings

and the statement shall identify the impact of the retention of individual trees on:

- a. the layout and footprint of proposed buildings,
- b. the likely pedestrian movements and activities within the public realm and
- c. the design and delivery of the proposed landscaping and public realm.

Notwithstanding the details shown on any of the drawings or documents hereby approved nothing in this permission grants consent for the removal of the trees identified above without the express approval in writing of the local planning authority.

Reason: In order to conserve and enhance the biodiversity of the site in accordance with policy CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the Local Development Framework Development Policies.

**ACTION BY: Director of Culture and Environment
Borough Solicitor (AB)**

- (2) ST GILES CIRCUS SITE, INCLUDING: SITE 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) RELATED APPLICATION &**
- (4) RELATED APPLICATION - SITE OF 138-148 (EVEN) CHARING CROSS ROAD (PART OF ST GILES CIRCUS SITE), LONDON WC2 &**
- (5) RELATED APPLICATION - 71 ENDELL STREET, LONDON WC2H 9AJ &**
- (6) RELATED APPLICATION - 59 ST GILES HIGH STREET &**
- (7) RELATED APPLICATION - 6 DENMARK STREET &**
- (8) RELATED APPLICATION - 7 DENMARK STREET &**
- (9) RELATED APPLICATION - 9 DENMARK STREET &**
- (10) RELATED APPLICATION - 10 DENMARK STREET &**
- (11) RELATED APPLICATION - 20 DENMARK STREET &**

**(12) RELATED APPLICATION - 26 DENMARK STREET &
(13) RELATED APPLICATION - 27 DENMARK STREET**

Consideration was given to the additional information contained in the supplementary agenda and a tabled addendum circulated at the meeting and attached as an appendix to these minutes.

The Planning Officer reported that there had been a late written submission from a resident of Sheldon Mansions which did not raise any new issues. There was also an addendum to the report which had been tabled, and is attached as an appendix to these minutes, and there was a typographical error in Condition 55 on the supplementary agenda which should refer to cycle storage for 120 cycles for the commercial units.

Following the Planning Officer's presentation, Members viewed a model of the proposed development, examining the context, the relationship to the Crossrail station exits and the disposition of the louvres and what would be seen through them.

In response to questions officers made the following additional comments:-

- There was a condition proposed regarding luminance levels and a lighting strategy would have to be submitted. There were also proposed noise and hours conditions.
- The urban gallery would close at midnight and the restaurants and galleries would close at 11.30pm.
- The metal cladding was a copper based alloy which would matt down quite quickly.
- The venue management plan would cover servicing arrangements. The development would be serviced from on street loading bays in Denmark Street, and the applicant estimated that there would be upto 18 deliveries a day. In order to cope with this addition to the existing deliveries in Denmark Street there would be an additional kerbside loading bay.
- The predicted increase in the number of walking trips in the area would be mitigated by the West End Project, to which this scheme would be making a financial contribution.
- There would be 20m between the top of the Crossrail escalators and the urban gallery and there would be communication with Transport for London so that, in the event of an emergency, measures could be taken to aid dispersal such as closing the louvres or changing the content of the LED screens.
- There would be screen space given over to local businesses but the details had yet to be worked out.
- There would be a venue management plan which would cover dispersal, amongst other issues, and the applicant would have to submit details of events proposed for next year to the Licensing Team.

The applicant confirmed that there would be close liaison with Transport for London and the content of the screens in the urban gallery could be changed if a situation called for it.

During discussion, Members expressed some concern about the luminance levels of the screens in the urban gallery and of the top floor restaurant. Members also expressed concern about whether the volume of deliveries taking place in Denmark Street would be manageable and whether a 15 minute turnaround time for each delivery was realistic - a review of the servicing arrangements was requested, to take place after 12 months of operation and at subsequent intervals. It was also noted that, when the transport team looked at the detailed design of the Crossrail entrance/exit, the distance between the entrance/exit and this development would need to be maximised. There was some concern about the type and frequency of events to be held in the urban gallery, including the extent of usage by Tin Pan Alley and other local businesses, and it was suggested that there should be a review, after a reasonable period of operation, of how the advertisement consent and use of the urban gallery was operating.

On being put to the vote, with 6 in favour, 0 against and 2 abstentions, it was

RESOLVED –

2012/6858/P

- (i) THAT planning permission be granted, subject to conditions and a Section 106 legal agreement as set out in the report and the supplementary agenda, and to additional clauses in the Section 106 agreement to secure a review of the operation of the advertisement consent and use of the urban gallery following 2 years of operation and a review of the servicing arrangements after 1, 3 and 5 years of operation;

2012/6860/C

- (ii) THAT conservation area consent be granted, subject to conditions as set out in the tabled addendum;

2012/6863/A – Site of 138-148 (even) Charing Cross Road (part of St Giles Circus Site)

- (iii) THAT advertisement consent be granted, subject to conditions as set out in the tabled addendum and review referred to in (i) above;

2012/6861/P – 71 Endell Street

- (iv) THAT planning permission be granted, subject to conditions and a Section 106 agreement as set out in the report;

2012/6872/L – 59 St Giles High Street

- (v) THAT listed building consent be granted, subject to conditions as set out in the report;

2012/6864/L – 6 Denmark Street

- (vi) THAT listed building consent be granted, subject to conditions as set out in the report;

2012/6865/L – 7 Denmark Street

- (vii) THAT listed building consent be granted, subject to conditions as set out in the report;

2012/6867/L – 9 Denmark Street

- (viii) THAT listed building consent be granted, subject to conditions as set out in the report;

2012/6868/L – 10 Denmark Street

- (ix) THAT listed building consent be granted, subject to conditions as set out in the report;

2012/6869/L – 20 Denmark Street

- (x) THAT listed building consent be granted, subject to conditions as set out in the report;

2012/6870/L – 26 Denmark Street

- (xi) THAT listed building consent be granted, subject to conditions as set out in the report; and

2012/6871/L – 27 Denmark Street

- (xii) THAT listed building consent be granted, subject to conditions as set out in the report.

**ACTION BY: Director of Culture and Environment
 Borough Solicitor (AB)**

**(14) LAND BOUNDED BY FISHER STREET, CATTON STREET, 8-10
SOUTHAMPTON ROW (FORMER SITE OF 1-2 FISHER STREET AND 2-6
(EVEN) CATTON STREET)**

Consideration was given to the additional information contained in the supplementary agenda.

Following the Planning Officer's presentation, Members viewed a model of the proposed development, examining the relationship of the proposed building with the neighbouring property with which it shared a party wall, the roofscape, the views of the building from the locality, the materials and the design.

Andrew Jones of BPS, the Council's independent viability assessors, then summarised the situation with regard to the viability of the scheme as set out in his report on the agenda. In response to questions, he added that Crossrail had paid £5.95m for the buildings on the site and the convention was that the landowner

needed to recoup at least the cost of the land acquisition. The applicant's consultants (BNP) had calculated a residual valuation of £4m which had to fund that cost along with other related costs and expenses and so the applicant's starting point had been that there would be a scheme deficit and therefore no contribution to affordable housing. BPS's recommended position, however, was to ignore the cost of the Crossrail capping structure along with various uplifts which BNP had applied to the land purchase price (substituting these only with a nominal increase of six months accrued interest to reflect a holding period) in order to achieve a comparable situation to a similar application coming forward on this site had Crossrail's involvement not taken place. This approach resulted in a surplus of £870,000 which could be secured for affordable housing. He added that, in relation to the issue of social housing providers being unwilling to take on units in a development like this, the major issue was that the service charge in a high specification building that did not have a separate entrance would make the rent component so low that it was simply not a viable proposition for the provider.

In response to questions, officers made the following additional comments:-

- Though the development would not be built for at least 5 years, the application had to be considered with regard to current policies and the facts as they stood at the present time. There would, however, be a deferred contribution mechanism which would be indexed in line with the house price index.
- The development could not commence until the head house covering the Crossrail access shaft had been completed, hence the need for an 8 year permission.
- It was common for social housing providers to be unwilling to take on the management of small numbers of units in private developments.

In response to questions, the applicant remarked that the elements on top of the proposed development were in part for amenity reasons (i.e. provision of balconies) and in part to add some fun to the building. Crossrail's obligation had been to bring forward a planning application within 2 years of commencement of work on site and then to bring forward a developer as soon as practicable.

Members expressed concern about the lack of affordable housing but noted the index linked deferred contribution mechanism. Some misgivings were also expressed about granting an 8 year permission and about the lack of evidence from the applicant regarding the apparent unwillingness of registered social landlords to manage units in a small scheme such as this. However, the design of the building was considered to be striking and innovative.

On being put to the vote, with 7 in favour, 0 against and 1 abstention, it was

RESOLVED –

THAT planning permission be granted, subject to conditions and a Section 106 legal agreement as set out in the report, and to any direction by the Mayor of London.

**ACTION BY: Director of Culture and Environment
 Borough Solicitor (AB)**

(15) THE VICTORIA, 2 MORNINGTON CRESCENT, LONDON NW1 7RR

Councillor Naylor, ward councillor for the neighbouring ward of Camden Town with Primrose Hill, spoke in objection to the application.

In response to questions, the applicant's agent confirmed that the applicant was the owner and landlord of the public house and had run it for thirteen years until it closed in June 2013. The room on the first floor was in fact an extension of the applicant's lounge and was not a function room as such. Access to it was via the back of the bar or using a private staircase from the street.

Some Members expressed concern about the lack of evidence regarding the viability or otherwise of the public house. It was also felt that there was some indications that the pub had had a community use but that more evidence was required.

On being put to the vote, it was unanimously

RESOLVED –

THAT consideration of this application be deferred in order to obtain further evidence regarding the viability of the public house, the status of the upstairs room and whether the public house had a community function.

ACTION BY: Director of Culture and Environment

(16) GROUND FLOOR UNIT, 12 HIGHGATE ROAD, LONDON NW5 1NS

Consideration was given to the additional information contained in the supplementary agenda.

In response to a question, the Planning Officer confirmed that there was an existing plant enclosure at the back of the property which met all the relevant requirements.

On being put to the vote it was unanimously

RESOLVED –

THAT planning permission be granted, subject to conditions as set out in the report.

ACTION BY: Director of Culture and Environment

(17) BRACTON HOUSE, 34 HIGH HOLBORN, LONDON WC1V 6AE

Consideration was given to the additional information contained in the supplementary agenda.

RESOLVED –

THAT planning permission be granted, subject to conditions as set out in the report.

ACTION BY: Director of Culture and Environment

(18) 36 ST ALBANS ROAD, LONDON NW5 1RD

This item was deferred due to lack of time.

(19) 63 FAIRFAX ROAD, LONDON NW6 4EE

RESOLVED –

THAT planning permission be granted, subject to conditions as set out in the report.

ACTION BY: Director of Culture and Environment

8. DATE OF NEXT MEETING

It was noted that there would be a special meeting of the Committee on Tuesday 19th November 2013 and that the next ordinary meeting would take place on Thursday 28th November 2013.

9. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no such business.

Having adjourned between 9.15pm and 9.22pm and applied Committee Rule 19(a), the meeting ended at 10.30 pm.

CHAIR

Vicky Wemyss-Cooke

Contact Officer:

Telephone No: 020 7974 5726

E-Mail: dc@camden.gov.uk

MINUTES END

Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Application Ref: **2020/1910/A**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

3 June 2020

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:
1 St Giles Square
London
WC2H 8LH

DECISION

Proposal: 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.

Drawing Nos: (SGI-ORM-XX-00-DR-A-)12800 P1; 12801 Rev P1; 12802 Rev P1, 1793PL023-04 Re P2, (SGI-ORM-NE-AA-DR-A-)12882 Rev P1; 12887 Rev P1; 12888 Rev P1, (SGI-ORM-WEAA-DR-A) 12880 Rev P1; 12881 Rev P1; 12885 Rev P1; 12886 Rev P1, SGI-ORM-IN-AA-DR-A 12884 Rev P1, SGI-ORM-IW-AA-DR-A 12883 Rev P1, 626.01(MP)022, St Giles Circus Road Safety Assessment - Addendum Note, Road Safety Assessment, Environmental Statement, Townscape & Visual Impact Assessment.

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.

Executive Director Supporting Communities



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

- 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.

Informative(s):

- 1 The approved advertising consent screens are subject to a number of additional controls and reviews under planning conditions and legal obligations attached to 2012/6858/P.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

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

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

Yours faithfully

DRAFT

DECISION