

Delegated Report		Analysis sheet		Expiry Date:		01/09/2022	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Charlotte Meynell				2022/3684/P			
Application Address				Drawing Numbers			
King's Cross Square o/s King's Cross Railway Station Euston Road London N1C 4AL				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of 5m x 5m LED cube for media activation daily 11.00hrs - 20.00hrs from the period 14/09/2022 to 18/09/2202 inclusive under The General Permitted Development England Order 2015 (as amended) - Schedule 2, Part 4, Class E							
Recommendation(s):		Prior Approval Refused					
Application Type:		GPDO Prior Approval Schedule 2 Part 4 Class E					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
Summary of consultation responses:	No consultation undertaken.						
Site Description							
<p>The application site comprises of an area of the pedestrian forecourt within King's Cross Square, to the front of King's Cross Railway Station, adjacent to the circular ventilation shaft serving King's Cross St. Pancras London Underground Station.</p> <p>The application site is situated within the King's Cross Conservation Area, and is directly adjacent to the Grade I listed King's Cross Railway Station.</p>							
Relevant History							
No relevant site history							

Relevant policies

Schedule 2 Part 4 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 3) Order 2021

Assessment

1.0 Proposal

- 1.1 The proposal seeks prior approval for the erection of a 5m wide, 5m deep and approximately 6m high cube above a 7m wide, 7m deep, 0.8m high base platform with a mirror finish and speaker grilles to each side. The cube would have screens on all 4 sides for media activation to advertise SKY Glass TV. The screens would be held in place by a scaffolding support structure in the centre of the cube.
- 1.2 The application has been submitted under Part 4 Class E of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended) for the temporary use of buildings or land for film-making purposes.
- 1.3 This is subject to a number of conditions listed within sub-paragraph E.1 [(a)-(g)] and a subsequent condition in sub-paragraph E.2(2) relating to the need for the developer to apply to the local planning authority for prior approval as to:
- (a) the schedule of dates which make up the filming period in question and the hours of operation,*
 - (b) transport and highways impacts of the development,*
 - (c) noise impacts of the development,*
 - (d) light impacts of the development, in particular the effect on any occupier of neighbouring land of any artificial lighting to be used, and*
 - (e) flooding risks on the site.*
- 1.4 A decision is required to be made within 56 days of the application's receipt (7th July 2022). As a decision was not issued by the Council by this date (1st September 2022), the proposals benefit from deemed approval by default according to the GPDO legislation. Nevertheless, the Council has undertaken the below assessment of the proposals against the GPDO legislation.

2.0 Assessment

2.1 Assessment against Class E conditions

Class E: Development consisting of—

- (a) The temporary use of any land or buildings for a period not exceeding 9 months in any 27 month period for the purpose of commercial film-making; and
- (b) The provision on such land, during the filming period, of any temporary structures, works, plant or machinery required in connection with that use.

If yes to any of the statements below the proposal is not permitted development:

Yes/No

E.1
(a) The land in question, or the land on which the building in question is situated, is more than 1.5 hectares

No

E.1
(b) The use of the land is for overnight accommodation

No

E.1
(c) The height of any temporary structure, works, plant or machinery provided under Class E(b) exceeds 15 metres, or 5 metres where any part of the structure, works, plant or machinery is within 10 metres of the curtilage of the land

Unclear – proposal would exceed 5m in height but unable to measure

		distance to curtilage from submitted documents
E.1 (d)	The land or building is on article 2(3) land	Yes – within King's Cross Conservation Area
E.1 (e)	The land or the site on which the building is located is or forms part of— (i) a site of special scientific interest; (ii) a safety hazard area; or (iii) a military explosives storage area	No
E.1 (f)	The land or building is, or contains, a scheduled monument	No
E.1 (g)	The land or building is a listed building or is within the curtilage of a listed building	Yes – within the curtilage of Grade I listed King's Cross Railway Station

3.0 Conclusion

3.1 The proposal would be located on article 2(3) land (King's Cross Conservation Area) and within the curtilage of a listed building (Grade I listed King's Cross Railway Station). The proposal is therefore not permitted development as per the conditions of Schedule 2, Part 4, Class E of the GPDO 2015 (as amended). An application for full planning permission for the proposed works would be required.

4.0 Recommendation

6.1 Prior Approval Required – Approval refused as not permitted development.