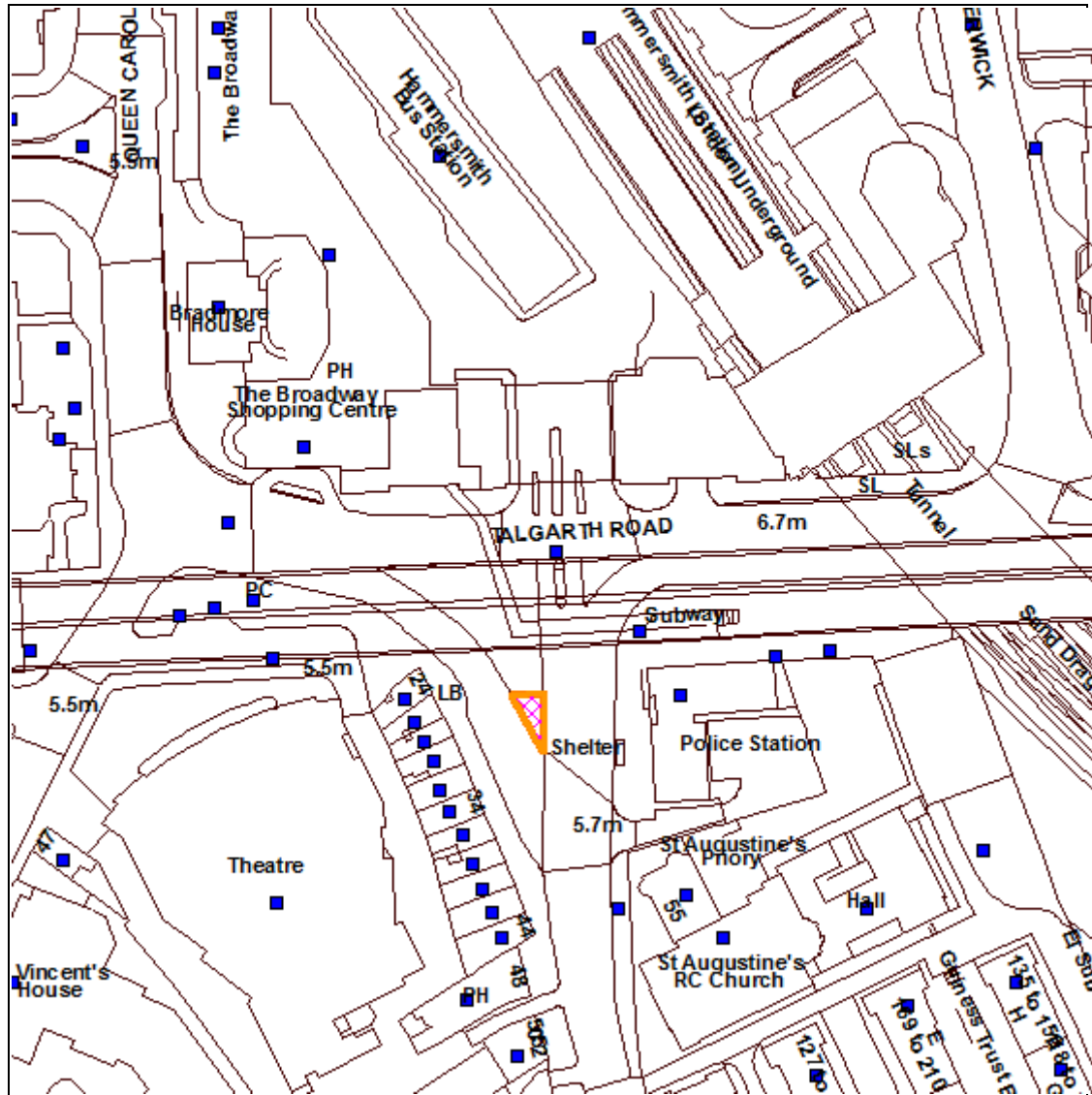


Ward: Hammersmith Broadway

Site Address:

Traffic Island Located At Junction Of Fulham Palace Road And Talgarth Road London



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For identification purposes only - do not scale.

Reg. No:
2021/02292/ADV

Case Officer:
Elliot Brown

Date Valid:
02.08.2021

Conservation Area:
Constraint Name: Hammersmith Odeon
Conservation Area - Number 44

Committee Date:
12.10.2021

Applicant:

Mr David Pearlman
Town Hall King Street Hammersmith London
W6 9JU

Description:

Display of a freestanding single sided internally illuminated LED digital advert screen facing south measuring 4m (width) x 6m (height) x 0.061m (depth) at a height of 2.5m above ground level and associated landscaping.

Drg Nos: See condition 02

Application Type:

Display of Advertisements

Officer Recommendation:

- 1) That the Committee resolve that the Chief Planning Officer be authorised to grant advertisement consent subject to the conditions listed below;
- 2) That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

- 1) The period of this consent shall expire 5 years from the date of this notice.

Condition required to be imposed by the Town and Country Planning (Control of Advertisements) Regulations 1992.

- 2) The advertisement hereby approved shall be erected and displayed only in accordance with the following approved drawings and shall thereafter be retained in this form:

PA03, PA04, PA05, PA06, PA07, Highway Safety Report by Vectos dated July 2021.

In order to ensure full compliance with the advertisement consent application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies DC8 and DC9 of the Local Plan (2018).

- 3) The advertisement display hereby approved shall be displayed in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'.

To ensure that the amenity of occupiers of surrounding premises is not adversely

affected by artificial lighting, in accordance with Policies CC12 and CC13 of the Local Plan (2018).

- 4) The advertisements shall comply with the recommendations of the Institution of Lighting Professionals in the 'Professional Lighting Guide No 5, 2014 - Brightness of Illuminated Advertisements'.

To ensure that the proposals would not have an unacceptable impact upon road safety and is in accordance with Local Plan (2018) Policies T1, T6 and DC9 and Key Principle TR28 of the Planning Guidance Supplementary Planning Document (2018).

- 5) The advertisements hereby approved shall not display sequential advertisements that change more frequently than every 10 seconds and the change between advertisements will take place over a period no greater than one second.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by artificial lighting, and in the interest of highway safety and visual amenity and to preserve the character and appearance of the Conservation Area, in accordance with Policies DC8, DC9, CC12 and CC13 of the Local Plan (2018).

- 6) Any illumination shall not be intermittent and there shall be no changing light patterns.

An intermittent illumination would be unacceptable in the interests of public safety as it is likely to distract the attention of drivers of vehicles, in accordance with Policy DC9 of the Local Plan (2018).

- 7) The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 8) Prior to commencement of the development details of external materials and finishes including external material samples of the advert support structure and a detailed elevation drawing at a scale of not less than 1:20 of the proposed laser cut pattern to be incorporated into the metal panels on the rear of the advert support structure shall be submitted to the Local Planning Authority for its approval. The development must be completed in accordance with the details as approved and it shall be permanently retained thereafter.

To ensure a satisfactory external appearance and to preserve the character and appearance of the Conservation Area in accordance with Policies DC8 and DC9 of the Local Plan (2018).

- 9) Prior to the display of the advertisement hereby approved full details of landscaping including a landscaping plan and planting schedules and details of a landscaping maintenance plan for the area of soft landscaping at the base of the advert support structure as shown on the approved drawings shall be submitted to the Local Planning Authority for its approval. The landscaping must be completed in accordance with the details as approved prior to the display of the advertisement and it shall be permanently retained and maintained in accordance with the details as approved for duration of the display of the advertisement.

To ensure a satisfactory external appearance and to enhance the character and appearance of the Conservation Area in accordance with Policies DC8 and DC9 of the Local Plan (2018).

- 10) Any planting within the area of soft landscaping shown on the approved drawings at the base of the advert support structure that is removed or severely damaged, dying or becoming seriously diseased shall be replaced with the same species. The area of soft landscaping at the base of the advert support structure shall maintained as such for the duration of the display of the advertisement.

To ensure a satisfactory external appearance and to enhance the character and appearance of the Conservation Area in accordance with Policies CC12, DC8, DC9 and T1 of the Local Plan (2018) and Key Principle TR28 of the Planning Guidance Supplementary Planning Document (2018).

Justification for Approving the Application:

- 1) The design, size, siting and method of illumination of the proposed advertisement would be acceptable in visual amenity terms and would not have a detrimental affect on the residential amenities of the occupiers of neighbouring properties, or on highway safety. It is considered that the LED advertising panel would not harm the character or appearance of the Hammersmith Odeon Conservation Area or the settings of adjacent designated and non designated heritage assets. It is considered that the Highway Safety Report provides a robust assessment of the proposal. The proposed advertisements would therefore accord with Policies CC12, DC8, DC9, T1 and T6 of the Local Plan (2018) and Key Principles AH1, AH2, BD1, BD7, SD6 and TR28 of the of the Planning Guidance Supplementary Planning Document (2018).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Andrew Marshall (Ext: 4841):

Application form received: 12th July 2021
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2021
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document

Consultation Comments:

Comments from:
Hammersmith & Fulham Historic Buildings Group

Dated:
23.08.21

Neighbour Comments:

Letters from:

Dated:

8 Chancellors Road Hammersmith London, UK W6 9RS	23.08.21
Fulham Society 1 Rosaville Road London SW6 7BN	16.09.21
263 Goldhawk Road London WE12 8EU	02.08.21
54 College Court Queen Caroline Street LONDON W6 9DZ	09.08.21
26 Chancellors Road London W6 9RS	24.08.21
44 Parfrey Street London W6 9EN	01.09.21

1.0 BACKGROUND

- 1.1 The proposal relates to a traffic island at the north end of Fulham Palace Road which lies underneath and to the south of Hammersmith Flyover. The traffic island serves as a pedestrian crossing route and contains street furniture including a number of Sheffield cycle stands and two street trees.
- 1.2 The application site relates to the southern part of the traffic island and is situated within the Hammersmith Odeon Conservation Area and is in close proximity to the Hammersmith Broadway Conservation Area (which lies to the north of the Hammersmith Flyover).
- 1.3 The nearest statutorily Listed Buildings are the Hammersmith Apollo (Grade II*) and St. Paul's Church (Grade II*), which are located to the west and north-west of the site, respectively. On the east side of Fulham Palace Road the Guinness Trust Estate buildings and St Augustine's Catholic Church and Priory are locally listed Buildings of Merit and these are situated to the south east of the site. On the west side of Fulham Palace Road the Peabody Estate buildings and the Duke of Cornwall PH, 48 Fulham Palace are locally listed Buildings of Merit and these are situated to the south west of the site.
- 1.4 The site is also located within Hammersmith Town Centre and the Hammersmith Regeneration Area. Fulham Palace Road is classified as a London Distributor Road.
- 1.5 The current application is for:
 - The display of a single-sided internally illuminated LED digital advert screen within a free standing advertisement support structure facing south down Fulham Palace Road;
 - The digital advert screen would measure 4m in width, 6m in height and 0.061m in depth and would be displayed at a height of 2.5m above ground level;

- It would display static images, which would change at a minimum 10 second interval;
- Soft landscaping would be installed in front of the advertisement support structure at the southern apex of the traffic island.

1.6 The northern part of the traffic island is also subject to a current Council own application (2021/01544/FR3) to erect a single storey structure to provide secure cycle storage. The advertisement structure has been designed to be compatible with the Council's aspirations for a cycle hub in this location, including providing sufficient clearance between the advertisement support structure and the cycle hub structure to allow for maintenance of both structures and for rainwater dispersal from the cycle hub. It is understood that the proposed foundation designs for the digital advert screen have been shared with the Council's Highways Officers who are dealing with the cycle hub project.

2.0 RELEVANT PLANNING HISTORY

2.1 An application was submitted in 2016 (2016/04702/ADV) for the Display of a free standing single-sided digitally illuminated LED screen (measuring 6m x 4m x 0.85m).

2.2 The above application was withdrawn.

3.0 PUBLICITY AND CONSULTATIONS

3.1 The application was publicised by means of a site notice and a press advertisement, together with letters of notification to neighbouring properties.

3.2 Three (3) representations have been received, which object to the proposal on the following grounds:

- The proposal would have a detrimental impact upon the character and appearance of the surrounding area, including designated heritage assets;
- The proposal would have a detrimental impact upon neighbouring amenity, especially with regard to light pollution;
- The proposal would have a detrimental impact upon highway safety;

3.3 One representation has been received, which supports the proposal stating that: The proposal would help to improve the appearance of the area approaching, and under, the Hammersmith Flyover.

3.4 Additionally, three comments objecting to the proposal have also been received from the Fulham Society, the Hammersmith Society and the Hammersmith and Fulham Historic Buildings Group. Their concerns can be summarised as follows:

Hammersmith Society - Hammersmith Town Centre requires a coherent and specific advertising policy, which sets out permissible locations and denies alternative locations, to avoid a haphazard and distracting array of hoardings littering this important area of the borough...careful placing is essential to maintain

a subservient role within the urban landscape and avoid visual distraction from the static surroundings of the built environment. LBHF Planning must plan and establish an overview to ensure advertising placement takes place in an organised, pre-determined manner, and not in a haphazard fashion..

Hammersmith and Fulham Historic Buildings Group - The Gyrotory system which encircles the Broadway centre is one of the busiest traffic areas in the borough..... The addition of cycle routes does little to calm the situation. In our opinion it is important that as little distraction as possible is introduced to this gyratory. Unless it is necessary for safety or guidance reasons, i.e., direction signs and clear lane marking. Distraction cannot be measured, it is a human reaction which is unique to an individual, and can take many forms, in particular moving images. To introduce an illuminated, coloured, moving advertising display, would in our view further denigrate and downgrade an area of which the Borough should be proud. We request that this application to site an advertising screen in this prime location with several listed building in close proximity be refused.

Fulham Society - We would like to comment as we are very concerned about this application. This is a very busy and complicated junction with the special bus lane, and any distraction we feel could well cause problems and accidents. So we are totally opposed to the idea of putting an advertisement of any kind at this point.

4.0 PLANNING CONSIDERATIONS

4.1 The relevant considerations in this case, to be assessed against the policies in the National Planning Policy Framework [NPPF] (2021), The London Plan (2021) and the Hammersmith and Fulham Local Plan (2018), the Planning Guidance Supplementary Planning Document [SPD] (2018) and Advertisement Regulations are:

- Design and visual impact including impact on designated and non designated heritage assets;
- Highways/pedestrian safety;
- Other matters.

VISUAL AMENITY AND HERITAGE

4.2 The proposal relates to the southern part of a traffic island at the north end of Fulham Palace Road within the Hammersmith Town Centre boundary designated on the Policies Map. The site is located within the Hammersmith Odeon Conservation Area. The site is located within the setting of a number of Buildings of Merit including St Augustine's Catholic Church and St Augustine's Priory, 55 Fulham Palace Road; the Guinness Trust Estate buildings and the Peabody Estate buildings both on Fulham Palace Road and the Duke of Cornwall PH, 48 Fulham Palace Road. The Grade II* listed Hammersmith Apollo is situated to the west, behind the shopping parade on the west side of Fulham Palace Road. On the opposite side of Hammersmith Flyover to the north west is the Grade II* listed St Paul's Church.

4.3 The traffic island was created as part of recent streetscene improvement works to

the public highway, previously there were steps down to the pedestrian subway network that was built as part of the Hammersmith gyratory system in the 1960s. The visual appearance of the site is heavily affected by the looming presence of the Hammersmith Flyover and the tall buildings that form part of the commercial development on the Centrewest site to the north. The character of the area is mixed and contains retail, office, residential and community uses. The northern extremity of the Conservation Area is dominated by the highway infrastructure associated with the Hammersmith Flyover and the Hammersmith gyratory system and the traffic island itself does not form part of the special architectural or historic interest of the Conservation Area.

- 4.4 The relevant Local Plan Policies are DC8 and DC9. Key Principles AH1 and AH2 of the Planning Guidance SPD are also relevant. The relevant statutory duty is s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention to be paid by the LPA to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Furthermore, Paragraph 136 of the NPPF (2021) states that the quality and character of places can suffer when advertisements are poorly sited and designed....Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Paragraph 199 of the NPPF (2021) requires great weight to be given to the conservation of designated heritage assets when considering the impact of any proposals on their significance.
- 4.5 Local Plan DC8 states that the council will conserve the significance of the Borough's historic environment by protecting, restoring, or enhancing its heritage assets, including the borough's conservation areas. Local Plan Policy DC9 seeks to ensure a high standard of design of advertisements which are in keeping with the character of their location and do not have an unacceptable impact on public safety, and states that the council will resist excessive or obtrusive advertising and illuminated signage. It states that large adverts such as digital screens, will be acceptable where they are of an appropriate scale with their surroundings and where they do not have a detrimental impact on areas sensitive to the visual impact of hoardings such as conservation areas, listed buildings and other heritage assets, residential areas, open spaces or waterside land.
- 4.6 The proposal would introduce a single LED digital advert screen measuring 6m in height and 4m in width facing south which would be displayed at a height of 2.5m above a solid black metal powder coated panel. In long views from the south the digital advert screen and structure would be seen against the backdrop of the Hammersmith Flyover, the tall office buildings on the Centrewest site at the centre of the Hammersmith Gyratory system and within a highway network characterised by heavy slow moving vehicular traffic. The surrounding area is brightly lit, including by the street lighting to Hammersmith Flyover at a higher level.
- 4.7 The rear of the structure would be clad in perforated black powder coated metal panels which would incorporate a laser cut pattern. There was a living wall proposed in the previous application, however, this has been omitted with the current application due to concerns about the difficulty of servicing it from the public highway where stopping is not allowed. There were also concerns about the difficulty in sustaining the planting on a living wall on the rear of the digital advert screen, which would face north and not benefit from any direct sunlight. Instead soft landscaping is proposed at ground level in front of the digital advert

screen at the southern apex of the traffic island.

- 4.8 The digital advert screen and the advert support structure would be clearly seen in relation to the wider Conservation Area and adjacent Buildings of Merit but given the site specific circumstances including the town centre location, extensive highway infrastructure and tall commercial buildings it would not have a harmful impact on visual amenity or on the significance of the Conservation Area or the settings of adjacent non designated heritage assets. The settings of the Grade II* listed Hammersmith Apollo and St Paul's Church are unlikely to be affected due to their distance from the proposed advert support structure and the lack of intervisibility between the listed buildings and the advert support structure given the presence of the Hammersmith Flyover. Furthermore the advert screen itself would face south, away from the settings of the listed buildings.
- 4.9 There is an existing advert structure with digital screens at high level facing east and west on the northern part of the Guinness Trust Estate fronting Talgarth Road and Hammersmith Flyover. There would be some intervisibility between the two structures due to the gaps between the buildings on the east side of Fulham Palace Road but there is not likely to be any harmful cumulative impact due to the distances involved and the different directions that the digital screens are orientated towards. For the purposes of comparison it is noted that the digital advert screens (2008/00911/ADV) outside the L'Oreal building at 145 Hammersmith Road are 6m in height x 3m in width and that these screens are also displayed above ground level within an advert support structure and that their principal audience is also pedestrians and drivers in slow moving or stationary traffic either on or entering the Hammersmith Gyratory.
- 4.10 In light of the above, it is considered that the principle of an LED digital advert screen in this location as well as the size of the screen, method of illumination and detailed design of the advert structure are considered to be acceptable.

HIGHWAYS/PEDESTRIAN SAFETY

- 4.11 Local Plan Policies T1 and T6 state that development will not be permitted if it would prejudice the effectiveness of roads to distribute traffic. Key Principle TR28 Advertisements and Transport of the Planning Guidance SPD requires consideration of public safety, with refusal of applications (including free standing hoardings at important road junctions) where public safety is compromised.
- 4.12 The subject traffic island is located between the Fulham Palace Road north and south-bound carriageways on land to the south of the A4 Hammersmith Flyover. Fulham Palace Road is identified in Policy T6 as a London distributor road with the policy stating that it should not prejudice the effectiveness to provide links to the strategic route network, provide access to and between town centres, and distribute traffic to and around, but not within, local areas.
- 4.13 The Fulham Palace Road approach to the subject traffic island from the south consists of two lanes, and the speed limit in the vicinity of the site is a maximum 20 miles per hour, which is confirmed in road markings seen on site visits and in street photography. The digital advertisement display will be directed towards traffic approaching from the south on Fulham Palace Road.

- 4.14 The applicants have submitted an independent Safety Assessment that reviews the highway safety implications of the proposed digital advertising board, including a site assessment and relevant accident data. This assessment (Ref. VN91535, Issue 3, July 2021) prepared by 'Vectos' as part of this advertisement application, concludes that there would be no likely increased risk associated with the static display when travelling north-bound on Fulham Palace Road. The Council's Highways Officer has reviewed this document, noting that the submitted highway safety report provides a robust assessment of the proposal and that the overall impact upon road and pedestrian safety is acceptable.
- 4.15 At night, the illuminance levels will be reduced to a maximum of 300 candelas/m² to be controlled by condition 4 thereby ensuring that there is no distraction arising because of the brightness of the sign.
- 4.16 The condition requiring luminance levels to be consistent with levels recommended by the Institution of Lighting Professionals in the 'Professional Lighting Guide No 5, 2014 - Brightness of Illuminated Advertisements' will mitigate against levels posing harm to highway safety. Resultantly, the proposal is not considered to have an unacceptable impact upon road safety and is in line with Local Plan (2018) Policies T1, T6 and DC9 and Key Principle TR28 of the Planning Guidance Supplementary Planning Document (2018).

OTHER MATTERS

Residential amenity

- 4.17 SPD Key Principle TR28 outlines that developments including external lighting should control the potentially adverse impacts that it could cause.
- 4.18 Local Plan (2018) Policy CC12 relates to the detrimental impact that developments can have on residential amenity as a result of light pollution. Policy CC11 of the Local Plan (2018) states that noise-generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants of existing noise-sensitive uses in the vicinity. Policy CC13 (Control of Potentially Polluting Uses) states that the Council will, where appropriate, require mitigation measures if a nuisance (such as smoke, smell, or noise) would be likely to occur. With specific reference to outdoor uses, Key Principle NN5 states that outdoor uses need to be assessed with regard to frequency and times of use, and the noise level likely to be emitted from activities.
- 4.19 The advertisement would be a LED digital internally illuminated panel displayed in accordance with best practice as set out in the Institute of Lighting Professionals (ILP) Technical Note 5. There will be no moving images, which will minimize contrasting changes in light or illumination.
- 4.20 The illumination will increase (automatically by sensor) to reflect light, seasonal and weather conditions. Subject to Condition 03, luminance levels will comply with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'. Condition 04 will ensure that the brightness levels will be in compliance with the recommendations of the Institution of Lighting Professionals in the Professional Lighting Guide No5, 204 - Brightness of Illuminated Advertisements.

- 4.21 In this instance, the site is located on a paved island located adjacent to a parade of shops, offices and residential units within Hammersmith Town Centre. As such, the context of the surroundings is best described as mixed in character. Given that there are retail units present along this stretch of Fulham Palace Road it would not be considered unusual to see commercial advertising at this location. There are many advertisements on fascia signs linked to retail premises in the immediate surroundings and there are other examples of digital advertising in the vicinity. The nearest residential properties are located above retail units approximately 15m to the west on Fulham Palace Road. These properties will be relatively unaffected by the proposal both due to the fenestration of the residential properties and the orientation of the sign. Whilst there may be some flats on Fulham Palace Road where the advert could be visible, this would be at an oblique angle. The luminance of the advertisement would be limited to 300 cd/sqm at night time, which would be in accordance with the Institute of Lighting Professionals (ILP) Technical Note 5 on roadside advertisements. Furthermore, the applicants have confirmed that the displays are adjustable to 1% of their maximum brightness meaning that any concerns over lighting can be addressed quickly and remotely through an adjustment to the brightness level.
- 4.22 Overall, it is considered that the degree of illumination and any resulting light pollution is not sufficient to warrant refusal of the application. It is considered that the LED advertisement screen would not cause excessive harm to the amenities of neighbouring residents. The proposals accord with Policy CC12 of the Local Plan 2018, subject to the proposed conditions.

Biodiversity

- 4.23 Key Principles BD1 and BD7 of the Supplementary Planning Document (2018) require the protection of biodiversity in the borough including protecting and providing trees as necessary.
- 4.24 The proposal includes an area of soft landscaping to the south of the proposed advert support structure, which would provide a positive visual impression in the streetscape and an improvement in bio-diversity. It is considered to be acceptable with regard to Key Principles BD1 and BD7 of the Planning Guidance Supplementary Planning Document (2018).
- 4.25 The proposed LED digital advert screen and support structure would not undermine the Council's objectives in respect of the post pandemic economic recovery of Hammersmith town centre or the potential contribution of the site to the Council's objectives for the wider Hammersmith Regeneration Area as set out in Strategic Policy HRA and Strategic Site Policy HRA2 in the Local Plan.

5.0 CONCLUSION

- 5.1 The design, size, siting and method of illumination of the proposed advertisement is considered to be acceptable in visual amenity terms and would not have a detrimental effect on the residential amenities of the occupiers of neighbouring properties, or on highway safety. It is considered that the LED advertising panel would not harm the character or appearance of the Hammersmith Odeon Conservation Area or the settings of adjacent designated and non designated

heritage assets. It is considered that the Highway Safety Report provides a robust assessment of the proposal. The proposed advertisement would therefore accord with Policies CC11, CC12, CC13, DC8, DC9, T1 and T6 of the Local Plan (2018) and Key Principles AH1, AH2, BD1, BD7, SD6 and TR28 of the of the Planning Guidance Supplementary Planning Document (2018).

6.0 RECOMMENDATION

- 6.1 Therefore, officers support the proposals in line with the recommendations at the start of the report.