



Appeal Decision

Site visit made on 23 June 2021 by A Coombes

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/H5390/Z/21/3272169

Site Address Hurlingham, 360 Wandsworth Bridge Road, London SW6 2TZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr S Harrison against the decision of the London Borough of Hammersmith and Fulham Council.
 - The application Ref 2020/03458/ADV, dated 23 December 2020, was refused by notice dated 1 March 2021.
 - The advertisement proposed is the display of a temporary scaffold shroud with replica of building façade to front and side elevations, including an externally illuminated advertisement panel.
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Decision

1. The appeal is allowed and consent is granted for the display of a temporary scaffold shroud with replica of building façade to front and side elevations, including an externally illuminated advertisement panel as applied for. The consent is for eighteen months from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The advertisement hereby granted express consent shall be permanently removed and the use of the site for the display of advertisements will be discontinued 18 months after the first display of the advertisement, on the 18 month anniversary from the date of the decision, or upon completion of the external building works, whichever is the sooner.
 - 2) The illumination of the advertisements shall comply with the recommendations of the Institution of Lighting Professionals in the Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light and the Professional Lighting Guide No 5, 2014 - Brightness of Illuminated Advertisements.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - the effect of the proposed advertisement on visual amenity of the area; and
 - the effect of the proposed advertisement on public safety.

Reasons

4. The appeal site forms the corner plot of the busy intersection of Wandsworth Bridge Road and Carnwath Road. The surrounding area is mixed use, both commercial and residential. Historically the Hurlingham Pub with residential space above, the site is currently under development with scaffolding and shrouding in situ. The proposed temporary shroud would encase the scaffolding with a replica of the building façade and include an externally illuminated advertisement panel on the Carnwath Road elevation.

Visual Amenity

5. Although there are various residential developments within the vicinity of the appeal site, the area around Wandsworth Bridge is commercial in character. There are several large-scale advertisements and a two-sided digital display, which sits within the Sands End Conservation Area (SECA) close to the appeal site. Though the proposed advertisement would be of a significant size, it would not be disproportionate or overly dominant against the large façade. Furthermore, the externally illuminated aspect of the advertisement would not be inappropriate when considered in the same context as the nearby digital display, which would be seen first on the approach from Wandsworth Bridge.
6. The building is listed as a local building of merit and its contribution to the wider street scene, when not undergoing development, is not disputed. The proposed temporary shroud would encase the scaffolding with a replica of the building façade. This would, not only serve as a reminder of the building of merit but be an improvement on the current shrouding, which is detrimental to visual amenity. It is acknowledged that the Council are working to improve the street scene in Fulham Town Centre, notably concerning advertisements within Conservation Areas. However, the inclusion of an advertisement in this instance would be appropriate given its commercial context and temporary nature during the renovation period.
7. Regard has been given to Policies DC8 and DC9 of the Hammersmith and Fulham Local Plan (HFLP), adopted 2018, which seek to conserve the borough's historic environment and resist advertisements that are harmful to character and appearance and amenity. Further regard has been given to Key Principles AH1 and AH2 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document (SPD), adopted February 2018, which seek to protect heritage assets and buildings of merit. For the reasons given above, the advertisement would not conflict with these Policies and Key Principles and would not be harmful to visual amenity and the setting of the nearby SECA.

Public Safety

8. The intersection on which the appeal site is located is busy, with traffic approaching from several directions and drivers frequently carrying out right-turn manoeuvres. The lanes are traffic-light controlled with intervals that allow enough time to take in the surrounding area. On the site visit it was observed that, though the speed limit is 30mph, congestion constrains traffic to moving quite slowly.
9. On approach via Wandsworth Bridge Road there is a large digital display and other non-illuminated large-scale advertisements. In this context the proposed advertisement would not be incongruous or an unexpected distraction to

approaching drivers. Due to the road layout the advertisement would be visible from a sufficient distance and the traffic conditions would allow adequate time for drivers to take in the content without causing confusion. Furthermore, the proposed advertisement would be illuminated by downlighters at an appropriate level for its surroundings, which would mitigate undue distraction at night-time.

10. It is noted that the Council have received an objection from a Highways Officer concerning the externally illuminated advertisement panel, which is based on the absence of a road safety audits or assessment. However, for the reasons given above, the advertisement would not be harmful to public safety. Regard has been given to Policies T6 and DC9 of the HFLP and Key Principle TR28 of the SPD. Collectively these resist advertisements that are harmful to public safety and affect the borough's road network.

Conditions

11. The acceptability of the advertisement is due to its temporary nature, in line with the need for shrouded scaffolding during the period of renovation. Therefore, a condition should be attached to ensure the advertisement is displayed for the agreed time period as this provides certainty and precision. A condition controlling luminance has been attached to protect visual amenity and for clarity for both the Council and the appellant.
12. The Council have requested that a secondary condition is attached to control the luminance of the externally illuminated part of the advertisement, but this would be repetitive of the one that has been attached. The Council have also requested a condition controlling the image on the shrouding. However, this is neither necessary nor appropriate given that consent is granted for the approved details, which encompasses the shrouding design. Furthermore, the requested condition relating to a signed building contract is also considered unnecessary given that consent is granted for a limited time.

Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

April Coombes

Appeal Planning Officer

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR