

Delegated Report			Expiry Date:	13/10/2016
Officer			Application Number(s)	
Leela Muthoora			2016/2368/A	
Application Address			Application Type:	
Bus shelter outside 44 Rosslyn Hill London NW3 1NH			Advertisement Consent	
1st Signature	2nd Signature (If refusal)	Conservation	Recommendation(s):	
			Refuse Advertisement Consent	
Proposal(s)				
Installation of double-sided structure to existing bus shelter no. 0107/1040 for display of 2 internally illuminated digital screens.				

Consultations

Two local groups have objected to the proposals.

Hampstead Neighbourhood Forum

I am writing on behalf of the Hampstead Neighbourhood Forum to lodge an objection to the proposed installation of 2 illuminated advertising screens on the bus shelter outside 44 Rosslyn Hill. The Forum is currently undertaking a review of the Hampstead Conservation Area Statement and is working on a first draft of our Neighbourhood Plan for consultation.

This proposal is in direct contradiction of existing and proposed Camden planning policies, planning guidance and conservation area policies that seek to preserve the conservation area and avoid visual clutter.

According to Camden Planning Guidance 1, "Advertisements in conservation areas and on or near listed buildings require detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance and must not obscure or damage specific architectural features." An illuminated, commercial billboard sited in this location is neither sensitive to nor respectful of its surroundings and the nature of the Hampstead Conservation Area. The bus shelter is also just a few meters from the Grade II* Lloyds Bank at 40 Rosslyn Hill and the proposed illuminated advertisement would have a detrimental impact on it, contrary to guidance.

The proposal is contrary to DP25 and Policy D4 of the emerging Local Plan ("We will resist advertisements that c) contribute to an unsightly proliferation of signage in the area; . . . e) contribute to street clutter in the public realm, etc.).

We urge Camden to refuse this application and any similar applications for bus shelters, or other street furniture, in the Hampstead Conservation Area.

Heath and Hampstead Society

These illuminated display panels are unnecessarily bright, garish, intrusive, and over commercialised in our Conservation Area, where illuminated shop signs are prohibited by Article 4 Direction.

They would constitute light pollution on a multiple basis. Most are located below premises which include residential accommodation at first floor and above, and would be invasive of residents' privacy during night-time hours. The panels' ever-changing flickering images would be especially unwelcome and intrusive.

We note that TfL write in support of them. They would, of course; they would benefit financially from the resulting rentals. Their support also includes statements:

"...safer and more efficient deliveries..." What can this possibly mean?

"...improving the environment...including air quality..." This is plain rubbish; an illuminated sign could not possibly improve any environment, or affect air quality.

Such meaningless statements devalue anything TfL may have to say. We don't want such ugly, offensive things in our Conservation Area. Please refuse.

Officer response: refer to sections 3 and 4 in the assessment below.

Summary of consultation responses:

Site Description

The site is an existing bus shelter in the southbound direction located on the footway in front of 42-44 Rosslyn Hill. The site is within the Hampstead Conservation Area, there are listed buildings nearby including Grade II* 40 Rosslyn Hill (Lloyds Bank) and Grade II Unitarian Chapel, buildings identified as making a positive contribution to the Conservation Area at no.42-70 Rosslyn Hill and Rosslyn Mews and locally listed lampposts on Pilgrim's Lane. The nearest junction is approximately 3m south with Rosslyn Mews. The nearest residential units are approximately 15m at the upper levels of no. 40 Rosslyn Hill.

Relevant History

Other sites-

There are similar applications for single sided digital screens where refusals were appealed and the appeals were dismissed by the Planning Inspectorate who agreed that the adverts would be harmful to visual amenity and heritage assets. They all involved 'Display of digital screen and non-illuminated static poster panel to existing bus shelter' at the following sites-

2015/5201/A - opposite 88 Gray's Inn Road - Refused 22/01/2016 - Appeal dismissed 03/06/2016;
2015/5202/A - outside 125-129 Kingsway - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5203/A - outside 117 Kingsway - Refused 22/01/2016 - Appeal dismissed 03/06/2016;
2015/5204/A - outside 258 West End Lane - Refused 22/01/2016 - Appeal dismissed 07/06/2016;
2015/5205/A - outside Town Hall Euston Road - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5363/A - outside 100A Chalk Farm Road - Refused 22/01/2016 - Appeal dismissed 06/06/2016;
2015/5365/A - outside 70 Kingsway - Refused 22/01/2016 - Appeal dismissed 06/06/2016.

Relevant policies

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

National Planning Policy Framework 2012

London Plan 2016

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

CS14 – Promoting high quality places and conserving our heritage

DP21 – Development connecting to the highway network

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011/2015 (as amended)

CPG1 Design 2015 - Ch.3 Heritage and Ch. 8 Advertisements

CPG 6 Amenity 2011- Ch.5 Artificial Lighting

Hampstead Conservation Area Statement 2001

Assessment

1. Proposal

- 1.1. Advertisement consent is sought for installation of a double-sided structure to form an end panel at right angles to the south-east end of the existing bus shelter for the display of two digital screens facing inward and outward. Each digital screen would be 1338mm (W) x 2370mm (H) x 350mm (D) with a visible display area of 1.9m² made of an LCD screen with replacement glazing of 8mm. The screens' luminance levels are capable of 2500cd/m.
- 1.2. It should be noted that similar schemes at other sites in Camden were refused advert consent (see history above); subsequent appeals were dismissed by the Planning Inspectorate who agreed with the Council's reason that the adverts would be harmful to visual amenity and to the character and appearance of the streetscene, conservation area, and/or adjoining listed buildings.

2. Planning considerations

- 2.1. Adverts displayed on highways structures have deemed consent under Schedule 3, Class 9 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, provided that they do not exceed 2.16sqm in area and are not illuminated. Although the addition of the end panel falls within permitted development for highways structures, the main purpose of the structure is for advertising and the display requires express consent due to their cumulative size and internal illumination of the digital screens.
- 2.2. The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to consider amenity and public safety matters in determining advertisement consent applications.

3. Amenity: Visual impact and impact on residential amenity

- 3.1. Camden Planning Guidance for Design (CPG1) advises that good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. As the advertisements are proposed as integral to the bus shelters, they are assessed against their impact on the character and appearance of the nearest buildings and surrounding area and their addition to the street scene.
- 3.2. Design guidance and the Hampstead Conservation Area Statement also states that signs on street furniture will not normally be accepted where they contribute to visual and physical clutter and create a hindrance to movement along the pavement or pedestrian footway.
- 3.3. The area is predominantly residential with some retail units with shop fronts which have restrained signage in accordance with guidance for the Conservation Area. The existing bus shelter has one information panel with no advertising panels and is transparent at either end to allow visibility through the structure and to ensure it has minimal impact on the surrounding area. The proposed structure would be highly visible due to the size, location and illumination and would occupy a prominent forward position on the footway and constitute an element of visual clutter. It is considered that it would be unduly dominant in the immediate vicinity and prominent in longer views along Rosslyn Hill. It would appear out of character in this historic setting as it would detract from the setting of the listed building at 40 Rosslyn Hill. Overall, it is considered that the proposal would fail to preserve or enhance the restrained character and appearance of the Conservation Area and cause harm to the visual amenity of the immediate locality and wider area.

3.4. Camden Planning Guidance for Amenity (CPG 6) advises that artificial lighting can be damaging to the environment and result in visual nuisance by having a detrimental impact on the quality of life of neighbouring residents, that nuisance can occur due to 'light spillage' and glare which can also significantly change the character of the locality. As the advertisements are not located at a typical shop fascia level, they can appear visually obtrusive and as they would be illuminated, they have the potential to cause light pollution to neighbouring residential properties. The nearest residential windows are situated at an approximate 15m distance at the first floor level of no. 40 Rossllyn Hill. As they are at a higher level, the proposal is not considered to be detrimental to the neighbouring occupiers' amenity in terms of light pollution or outlook.

4. Public Safety

- 4.1. Policy DP21 requires development proposals to avoid disruption to the highway network, its function, causing harm to highway safety, hindering pedestrian movement and unnecessary clutter as well as addressing the needs of vulnerable users. The Council will not support proposals that involve the provision of additional street furniture that is not of benefit to highway users. The increased size of the glazed end panel of the bus shelter by the solid digital display forum is considered to create a hindrance to the free flow of pedestrian movement on the footpath causing pedestrians to negotiate around it during busy periods. Although it would reduce the effective footway width to 2.35m, this would meet the minimum recommended by the document titled Pedestrian Comfort Guidance for London published Transport for London.
- 4.2. It is accepted that all advertisements are intended to attract attention and the proposed advertisements would be placed in a typical position for a poster panel within an existing bus shelter structure. The Council also acknowledges digital displays of the size and form proposed are experienced in using the capital's transport network and the level of illumination and display of moving images can be restricted by condition. However, advertisements are more likely to distract road users at junctions, roundabouts and pedestrian crossings particularly during hours of darkness when glare and light spillage can make it less easy to see things, which could be to the detriment of highway and pedestrian and other road users' safety.
- 4.3. The existing bus shelter is predominantly glazed allowing views through the shelter. The addition of the solid digital display forum would be highly visible from the junction of Rossllyn Mews and Rossllyn Hill and could obstruct sightlines; however the narrow width of the entrance appears to restrict vehicular access to this part of the Mews. It is considered that drivers joining Rossllyn Hill from the other nearby side roads are sufficient distance away to not have sight lines adversely affected. On balance, the proposal would not have a detrimental impact on public safety.

5. Recommendation

5.1. Refuse Advertisement Consent as follows-

The internally illuminated digital screens, by reason of their location, size, design and method of illumination, would be unduly dominant and visually obtrusive in the streetscene, failing to preserve and enhance the character and appearance of the Hampstead Conservation Area and harming the setting of the adjacent Grade II Listed Building, contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development

Framework Development Policies.