
Appeal Decision

Site visit made on 7 November 2016

by D J Board BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 December 2016

Appeal Ref: APP/H5390/H/16/3153658

683 Harrow Road, London, Hammersmith and Fulham, NW10 5NY

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Insite Poster Properties against the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/00996/ADV is dated 3 March 2016. The advertisement proposed is described as 'Display of single non-illuminated advertising hoarding measuring 2x3 metres'.
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Decision

1. The appeal is dismissed and advertisement consent for display of single non-illuminated advertising hoarding measuring 2x3 metres is refused.

Background and Main Issue

2. As set out above, this appeal is against the failure of the Council to determine the application and there is not, therefore, a formal decision of the Council. However, the Council's evidence refers to a previous appeal decision at the site¹ and makes it clear that, had it been in a position to determine the planning application, it would have refused planning permission for the development.
3. In light of the above and having considered the submissions before me the main issue in the case is:
 - The effect of the advert on the character and appearance of the area.

Reasons

4. No 683 is located at the end of a group of dwellings adjacent to Alma Place. The building is also adjacent to Kensal Green Cemetery Conservation Area (CA) and the Grade I Registered Park and Garden (RPG) at the Cemetery. Harrow Road is busy and mixed in character. Nevertheless within the immediate context of the appeal site, on the approach to commercial premises, residential properties are dominant, including the terrace within which the appeal property sits. It terminates with a strong gable wall that is visible within the street. It is particularly visible across the front of the cemetery entrance when approaching along Harrow Road and from within the cemetery itself.

¹ APP/H5390/H/14/2226780

5. The submitted plans show that the display proposed would be smaller in size and in a different position to that previously the subject of a discontinuance notice. However, the proposed advert would still be of considerable scale. It would be located toward the front of the flank wall. It would be in a prominent position on the gable end of No 683. This would be exacerbated by any future content that would be set against the plain and simple backdrop of the dwelling. Therefore, overall it would be a visually dominant and discordant feature. This would be compounded by the location of the site adjacent to the CA, RPG and its visibility from the public realm within the cemetery and when travelling along Harrow Road.
6. The appellants submit that the signage would be non illuminated and discreet in size. However, other signage in the immediate vicinity relates to the cemetery. By contrast, even without illumination, a sign of the size and scale proposed and at a high level on the building would not appear discreet. I therefore conclude that the advert proposed would have a harmful effect on the character and appearance of the area.

Other Matters

7. The Council has drawn my attention to policies it considers relevant to this appeal. In determination of this appeal the Council's policies have not in themselves been decisive, but are material considerations. They have also drawn my attention to the National Planning Policy Framework (The Framework). Paragraph 67 confirms that the issue of amenity and (where applicable) public safety, are the determining factors in advertisement appeals. This has been taken into account when assessing the merits of the appeal.

Conclusion

8. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

D J Board

INSPECTOR