



Appeal Decision

Site visit made on 24 February 2017

by Timothy C King BA (Hons) MRTPI

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

Decision date: 13th March 2017

Appeal Ref: APP/H5390/Z/16/3161751

**Bus Shelter outside Formosa Restaurant, South of Fulham Broadway
Methodist Church, 452 Fulham Road, London, SW6 2HA**

- 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 JC Decaux UK Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2016/03512/ADV, dated 1 August 2016, was determined by notice dated 30 September 2016.
 - The advertisement proposed is a *'Double-sided freestanding Forum Structure, featuring 2 x Digital 84" screen positioned back to back.'*
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Despite the appeal form indicating otherwise the appellant has not advanced any Grounds of Appeal to support the case.

Main Issue

3. The Council has not raised any objection to the proposed display in terms of its effect on local amenity. As such, the main issue in this appeal is the proposal's effect on public safety.

Reasons

4. The proposed freestanding, internally illuminated screen would be situated on the public footway leaving an apparent passable width for pedestrians and wheelchair users of less than 3.5m. On this basis the local highway authority (lha), as a consultee, commented that the submitted drawings showed insufficient detail to make a full assessment as to whether the proposal would satisfy the requirement of SPD Transport Policy 35 of the Council's Planning Guidance Supplementary Planning Document (SPD). In essence this Policy indicates that the Council will refuse consent for any advertisement whose display would compromise public safety.
 5. It is understood that a revised drawing received was similarly unsatisfactory in terms of detail as it failed to show gradients, dropped kerbs or the location of existing street furniture and the lha advised that, in the absence of such, express consent for the proposal should be refused. I see no reason to disagree with this advice as the location and size of the display structure would
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provide insufficient passable width and also potential conflict with persons waiting at the bus shelter.

6. In this connection I have had regard to Paragraph 67 of the National Planning Policy Framework which seeks to ensure that advertisements are appropriate for their setting, and advises that they should not have a negative impact on either the built or natural environment.
7. I have also had regard to the local policies cited in the Council's decision notice and, although these have not been the only considerations, I find that the proposed signage is similarly contrary to their respective aims.
8. For the above reasons I conclude that the proposal would be detrimental to interests of public safety. The appeal, therefore, does not succeed.

Timothy C King

INSPECTOR