



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: 23 March 2017

Appeal Ref: APP/H5390/Z/16/3161747

Bus Shelter outside 28 Fulham High Street, London, SW6 3LF

- 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 2016/03509/ADV, dated 1 August 2016, was determined by notice dated 5 October 2016.
 - The advertisement proposed is a *'Double-sided freestanding Forum Structure, featuring 2 x Digital 84" screen positioned back to back.'*
-

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 Issues

3. The National Planning Policy Framework indicates that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council has raised objections on both these grounds and, as such, the main issues in this appeal are the proposal's effect on the interests of local amenity and also its effect on public safety.

Reasons

Amenity

4. The proposal is to replace non-illuminated advertisement panels with a free-standing, internally illuminated, double-sided advertising screen on the public footway. The site lies within the Bishop's Park Conservation Area and is also close to No 4 Fulham High Street which is a statutorily Grade II listed building. In such a location I can understand the Council's consideration that the proposed advertising screen and its mode of display would be somewhat intrusive and harmful to local character, impacting on these heritage assets. In essence, such a proposal also conflicts with the aims of the policies cited in the Council's first reason for refusal.
 5. I have also 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. In the absence of any representations by the appellant to make a case otherwise I conclude that the proposal would be detrimental to interests of local amenity.

Public safety

6. The Council indicates that the screen's installation would involve a reduction in passable width along the footway to the detriment of pedestrians and wheelchair users. In this connection SPD Transport Policy 35 of the Council's Planning Guidance Supplementary Planning Document indicates that the Council will refuse consent for any advertisement whose display would compromise public safety. Again, in the absence of any detail to the contrary or possible mitigation measures I see no reason to disagree and conclude that the proposal would be detrimental to interests of public safety.

Conclusion

7. I have found harm on both main issues which is compelling. Although I have had regard to relevant planning policies, particularly Policy DM G8 of the Council's Development Management Local Plan, which is unequivocal on such issues, these have not been the only considerations in reaching my decision.
8. For the above reasons the appeal does not succeed.

Timothy C King

INSPECTOR