

Appeal Decision

Site visit made on 13 March 2017

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 26th April 2017

Appeal Ref: APP/H5390/Z/16/3161754

New King's Road (Irene Road Stop), London

Grid Ref Easting: 525369, Grid Ref Northing: 176557

- 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 JCDecaux UK Ltd against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/03734/ADV, dated 16 August 2016, was refused by notice dated 17 October 2016.
 - The advertisement proposed is described as 'Double-sided freestanding Forum Structure, featuring 1 x Digital 84" screen on one side and a static poster advertisement panel on the reverse. The Digital screen is capable of displaying illuminated, static and dynamic content, supplied via secure remote connection. In the event of an emergency, TfL will be able to override the advertisement function and display an 'Emergency Message', alerting the public of immediate danger'.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal on amenity.

Procedural Matter

3. Notwithstanding the submitted application form, which does not include an address and refers to a grid reference that does not correspond with the site shown on the location plan, I have taken the address in the banner heading above from the appeal form. This is consistent with the submitted location plan and the site address in the Council's officer report and decision notice, and therefore no party would be prejudiced or caused any injustice by me taking this course of action.

Reasons

4. The appeal site is located on the northern side of New King's Road near the junction with Irene Road and within Parsons Green Conservation Area (the Conservation Area) which derives its character largely from the substantial areas of open space, Parsons Green and Ell Brook Common, within it. To the south lies the predominantly residential Studdridge Street Conservation Area which is characterised by the uniform layout, scale and design of the terraced houses.
-

5. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
6. The linear stretch of Eel Brook Common creates an open leafy backdrop to the appeal site, and the surrounding predominantly residential area is generally muted in appearance and free from clutter and commercial advertisements. This provides an attractive vista along New King's Road, and makes a positive contribution to the character and appearance of the Conservation Area.
7. The illuminated frequently changing commercial images displayed on the appeal proposal would be incongruous when seen against the verdant backdrop of the adjacent open space, and would be at odds with the subdued residential character of the surrounding area. As such, the appeal proposal would appear as a prominent, inharmonious and visually intrusive feature in the street scene, and would thus fail to preserve or enhance the character and appearance of the Conservation Area. I therefore conclude that the appeal proposal would have a harmful effect on amenity.
8. In accordance with the Regulations¹, I have taken into account the provisions of the development plan so far as they are material. Policy BE1 of the Hammersmith and Fulham Core Strategy, Policies DM G7 and DM G8 of the Hammersmith and Fulham Development Management Local Plan together with SPD Design Policies 29, 49 and 55 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document seek to protect amenity and so are material in this case. I have concluded that the advertisements would harm amenity, and therefore the appeal proposal conflicts with these policies.

Conclusion

9. I have had regard to the benefits of the appeal proposal in terms of the display of live travel updates, tourist and emergency information. However, these matters do not outweigh the harm I have identified.
10. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

C L Humphrey

INSPECTOR

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007.