

Appeal Decision

Site visit made on 31 May 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 16th June 2017

Appeal Ref: APP/H5390/Z/17/3171604

Bank Buildings, Fulham Broadway, London SW6 1EP

- 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 Investinc Ltd against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/05097/ADV, dated 22 November 2016, was refused by notice dated 18 January 2017.
 - The advertisement proposed is an advertisement on a scaffold shroud.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue are the effect of the proposed advertisement on :
 - a) the character and appearance of the area;
 - b) highway safety.

Reasons

3. Paragraph 67 of the National Planning Policy Framework (the Framework) confirms that the issues of amenity and, where applicable, public safety, are the determining factors in advertisement appeals. The Regulations state that development plan policies alone cannot be decisive when determining cases such as this one. Nevertheless, the Planning Practice Guidance (PPG)¹ advises that in assessing the effect on amenity, factors such as historic, architectural or cultural features in the neighbourhood can be taken into consideration. I have therefore had regard to the Council's policies alongside the advice and guidance of the Framework and the PPG as material considerations in reaching my decision.

Character and appearance

4. Bank Buildings is an imposing four-storey mid-terrace property in a prominent location on the south side of Fulham Broadway close to the junction with Fulham Road and Harwood Road. It is a locally listed Building of Merit, the ground floor of which is a restaurant. The upper part of the front elevation is stone faced with attractive fenestration and intricate mouldings and detailing. The site lies within the Walham Green Conservation Area.

¹ Paragraph 079 Reference ID: 18b-79-20140306

5. There have been a number of applications over recent years seeking to permit a temporary advertisement to be placed on a scaffold shroud screen while the building undergoes renovations and repairs. Most recently consent was refused, Ref: 2016/00901/ADV, for the display of an externally illuminated advertising hoarding for a period of ten months. This scheme was subsequently dismissed on appeal, Ref: APP/H5390/Z/16/3152582. The current proposal seeks to address the previous Inspector's concerns. The size of the advertisement has therefore been reduced to 7m x 8.5m and it would not be illuminated. The remainder of the scaffold shroud would have a 1:1 facsimile of the building façade covering the full extent of the scaffold on the front elevation.
6. The ornate stone façade of Bank Buildings makes a positive contribution to the character and appearance of the Conservation Area. Its temporary disappearance behind a plain scaffold shroud could be mitigated by displaying an image of the building on it. However, the proposed advertisement, albeit somewhat smaller than previously rejected scheme, would still be a large and extremely prominent addition to the street scene. It would be highly visible particularly looking towards the junction along Fulham Road, from where it would obscure the upper part of the building and dominate the street scene. This would be harmful as most other advertisements are much smaller in scale and are, with very few exceptions, confined to the shop fronts and the ground floor elements of the buildings. I therefore consider that the advertisement would significantly detract from the character and appearance of the host property, adversely affecting the visual amenity of the Conservation Area.
7. The scaffolding is required to undertake roof replacement and associated maintenance works to the building, which would help to preserve it as a heritage asset. However, the repairs do not appear to be structural and there was no evidence given as to why the scaffolding, or its associated shroud and advertisement, would be required to be in place for ten months in order to complete the works. Furthermore, there was no detail about the costs of the work. Neither was it demonstrated that the funds raised from the advertising would be used to maintain and improve the appearance of the building. There are therefore no substantiated benefits arising from the scheme that could outweigh the harm to the area's character and appearance.
8. I conclude that the proposal would be harmful to the visual amenity of the area and would fail to preserve or enhance the character or appearance of the Walham Green Conservation Area. The Council has cited Policies DM G7 and DM G8 of the Hammersmith and Fulham Development Management Local Plan (DMLP) in its decision notice. These require proposals to restore or enhance the quality, character and setting of the borough's historic environment and require advertisements to be unobtrusive and appropriate to their setting. I have taken account of conflict with these requirements as a material consideration in my assessment of the proposal.

Highway safety

9. Bank Buildings is in a prominent position at the junction of Fulham Road with Fulham Broadway. This is a busy junction controlled by traffic signals through which there are multiple vehicle and pedestrian movements. For anyone approaching the junction along Fulham Road, Bank Buildings is in their direct line of sight and immediately behind the traffic signals. The positioning of a

large, multi-coloured display on the building would be distracting for drivers, even though it would not be illuminated. It could therefore significantly increase the risk of accidents both between vehicles and with pedestrians. This would be an unacceptable situation in this busy commercial area which is also close to Fulham Broadway station.

10. I therefore conclude that the proposal would be prejudicial to public safety. Policies DM G8 and DM J6 of the DMLP seek to ensure that advertisements do not compromise public safety and that the borough's highway network can operate safely. The proposal would be contrary to these requirements which are material considerations in my assessment of the proposal.

Conclusion

11. For the reasons set out above, I conclude that the proposed advertisement would be harmful to the character and appearance of the area and detrimental to highway safety. The appeal is therefore dismissed.

Sheila Holden

INSPECTOR