
Appeal Decision

Site visit made on 20 August 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2019

Appeal Ref: APP/H5390/Z/19/3230327

6 Kings Parade, Askew Road, London W12 9BA

- 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 Mr Arora against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2019/00627/ADV, dated 28 February 2019, was refused by notice dated 26 April 2019.
 - The advertisement comprises an internally illuminated LED fascia sign and an internally illuminated LED projecting sign.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description in the banner heading above is taken from the appeal form and the Council's decision notice, as it is a more accurate and concise description of the advertisement than that used in the original application form.
3. The advertisement which is the subject of this appeal is already in place. From the information before me I understand that the installed equipment can be used to display moving or animated messages, although the application in this case is for a static display and I have determined the appeal on that basis.

Main Issue

4. The main issue is the effect of the advertisement on amenity.

Reasons

5. The appeal site lies within the Ravenscourt and Starch Green Conservation Area (the Conservation Area), and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area.
6. The advertisements have been placed on the appeal property which sits within Kings Parade, an eight-bay three storey terrace of shop units at ground floor with residential accommodation above. Its set piece design and features of interest including corner towers and central pediment mean that the Council has locally listed the terrace as a Building of Merit, a non-statutory heritage designation. Although the Council acknowledges that the unity of the parade

has been lost by some unsympathetic alterations, some traditional shopfront features have been retained, and the terrace as a whole contributes positively to the appearance and significance of the Conservation Area.

7. In accordance with the Regulations¹, I have taken into account the provisions of the development plan so far as they are material. Of particular relevance are Policies DC5 and DC9 of the 2018 Hammersmith and Fulham Local Plan (the Local Plan), which together require shopfront signs and advertisements to respect the age and architectural style of the host property, and Policy 7.8 of the 2016 London Plan which seeks to ensure that development conserves heritage assets.
8. The LED fascia sign has been mounted within the shopfront of the appeal site. It is described in the appellant's submissions as a black and white sign although in fact, as I observed on my site visit, it is a colour display. Neither the fascia sign nor the projecting sign is in keeping with the traditional character and appearance of the parade of shops. As such, the installations represent a discordant feature which detract from the appearance of the shopfront. They also undermine the positive contribution the parade makes to the character and appearance of the Conservation Area. For these reasons, the advertisements are harmful to the visual amenity of the area.
9. The appellant has drawn attention to several existing advertisements within the surrounding area. I do not know the full circumstances which led to their display, and I have dealt with this appeal on its own merits. Nonetheless, I note that none of the signs closest to the appeal site is of the LED screen type, while the example of a large LED display provided is not within a traditional shopfront. I therefore do not consider that any of the cases referred to is comparable to that in this appeal.
10. For the reasons set out above, I conclude that the appeal proposal has a harmful effect on amenity. As such, it conflicts with Policies DC4 and DC5 of the Local Plan, which seek to protect amenity and so are material in this case. By failing to respect the age and style of the host property and the character of the Conservation Area, the advertisements also conflict with Local Plan Policies DC5 and DC9 and London Plan Policy 7.8 described above, as well as with the principles set out in the 2018 Hammersmith and Fulham Planning Guidance Supplementary Planning Document.

Other matters

11. The appellant has suggested that the use of LED signs in this case is "the best ecological option" and would help deal with climate change and air quality issues in London by reducing energy use. I accept that LEDs are generally more energy efficient than incandescent bulbs, sodium tubes and even other 'low energy' lighting with comparable light output. However, given that advertisements in more traditional formats can also be illuminated by LEDs, this does not lead to an LED screen of the type installed in this case being a necessary solution. It is therefore an argument to which I can give little weight.
12. An interested party has made observations on the brightness of the sign and its potential impact on amenity. This is something which could be addressed by a condition, and indeed the Council proposed such a condition were I minded to

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

allow the appeal. However, having found that the advertisement is harmful to visual amenity it has not been necessary for me to address this matter in detail.

Conclusion

13. For the reasons given above, and having had regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

M Cryan

Inspector