



Appeal Decision

Site visit made on 14 October 2019 by S Witherley BA, PGDiP, PGDiP, Cert CIH, Assoc RTPi

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/H5390/Z/19/3234855

248 King Street, London, W6 0SP

- 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 Ali Ashrafy (Safron Supermarket), against the decision of the Council of the London Borough of Hammersmith & Fulham.
- The application Ref 2019/01478/ADV, dated date 12 May 2019, was refused by notice dated 9 July 2019.
- The advertisement is described on the application form as: Replacement of old shop front signage.

Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council have drawn attention to the policies they consider to be relevant to this appeal and these have been taken into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In the determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
3. At the time of the site visit the shop front signage was in place.

Appeal Procedure

4. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

5. The effect on the visual amenity of the locality and whether the proposal would preserve or enhance the character or appearance of the Ravenscourt & Starch Green Conservation Area (CA).

Reasons for the Recommendation

6. No. 248 is a four-storey end of terrace located in a short row of properties of the same age and architectural style. The row contains commercial units at ground floor with residential above. It sits in a prominent location along Kings Road at the junction of Ravenscourt Avenue. The surrounding area is made up of a mix of commercial,

residential and educational buildings of various styles and ages. Distinctive features within the row and which contribute to the significance of the CA are the projecting shop fronts and fascia signs that sit beneath a first-floor balcony with uniformed window detailing above which gives the building a vertical emphasis. The building is identified by the Council as a 'building of merit'.

7. Despite the previous alterations to the first-floor balustrade, the sign appears inappropriate to its location. Its materials and height, which now covers the entire balustrade, detracts from the vertical emphasis of the original building and contrasts adversely with the more subtle signage of its neighbours within the same row. Those neighbouring shop fronts retain their traditional proportions, with slender timber work, a comparatively shallow fascia and large areas of glazing which corresponds to the vertical alignment of the windows on the upper floors of the building. As a result of its prominent position and box design, it appears bulky and disproportionate to No. 248 and the adjoining properties within the row. Accordingly, it is harmful to the visual amenity of the locality and, thereby, fails to preserve or enhance the character and appearance of the CA.
8. The appellant has referred to photographs of the previous shop front. However, it is not clear if consent was ever granted for that sign and, in any event, the photographs show that the sign was significantly smaller than the large sign that has now been erected. Moreover, the fact that a previous unsympathetic advertisement existed does not provide justification to grant consent for signage that would cause further harm to the building and Conservation Area. Examples of similar signs elsewhere in the CA have been referred to. However, these are differently located and positioned and are not comparable to the proposal as submitted. These other examples are not strong enough reasons to allow visually harmful proposals and, in any event, each application is considered on its own merits. Lack of objections do not outweigh the visual harm which has been identified.
9. Given the above, the sign has an adverse effect on the visual amenity of the locality. It neither preserves nor enhances the character or appearance of the CA. Furthermore, insofar as they are material considerations in the determination of this matter, the sign conflicts with the Hammersmith & Fulham Local Plan (2018) Policies DC8 and DC9 and Hammersmith & Fulham Planning Guidance Supplementary Planning Document (2018) Key Principles BM2, CAG4 and SD6, and the National Planning Policy Framework.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered the submitted evidence and the Appeal Planning Officer's report, and on that basis, also agree that the appeal should be dismissed.

Chris Preston

INSPECTOR