



Appeal Decision

Site visit made on 21 September 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th October 2020

Appeal Ref: APP/H5390/Z/20/3254329

11 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 Properties Limited against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2020/00373/ADV, dated 7 February 2020, was refused by notice dated 21 April 2020.
 - The advertisement proposed is Unilluminated advertisement banner (8.5m high x 7m wide) set within an illustrated scaffold shroud for a temporary period of 40 weeks.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal varies from the application form to the decision notice. That on the application form adequately describes the proposal and I have made my determination on that basis.
3. There is some lack of clarity over whether illumination is proposed. The appellants statement suggests that it is, contrary to the application form. I have considered the appeal on the basis of the information on the application form which states that the advertisement would be non-illuminated.

Main Issues

4. The main issues are the effect of the proposal on amenity and public safety.

Reasons

Amenity

5. The appeal site is located on the southern side of Fulham Broadway at its Junction with Harwood Road. Above ground floor level, the building is attractively detailed and because of this and its greater height than the neighbouring buildings it is prominent within the street scene, particularly in views when travelling westwards along Fulham Broadway towards the site.
6. The building is identified as being on the local register of buildings of merit and is within the Walham Green Conservation Area, the character of which in this location is mainly formed of buildings with commercial frontages at lower levels with simpler, rhythmic and attractively detailed upper elevations. To the east

- and north east are the Grade II* and Grade II listed Fulham Town Hall and Fulham Broadway Underground Station former entrance building and trainshed.
7. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 8. The appeal proposal would comprise a 1:1 shroud depicting the building at the site, with an inset advertising area measuring 7m x 8.5m.
 9. Planning Practice Guidance (PPG) states that buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements.
 10. However, advertisements should be subject to control in the interests of amenity and public safety, and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Therefore, as the PPG explains, if the locality where an advertisement is to be displayed has important scenic, historic, architectural or cultural features, consideration should be given to whether it would be in scale and in keeping with these features.
 11. I have considered the provisions of the development plan. Of particular relevance to the appeal proposal is Policy DC9 of the Hammersmith and Fulham Local Plan (2018) (HFLP) which states that advertisement shrouds will be permitted where the advertisement would not impose a detrimental impact on the building or street scene in terms of the size, illumination and/or content.
 12. Although Fulham Broadway is a busy commercial street, the majority of advertisements associated with commercial and retail uses are located at or around ground floor level. Where advertisements are present on the upper elevations of buildings, they are generally very restrained and broadly limited to text only.
 13. I note that the size of the advertisement has been reduced in comparison to the proposal which was the subject of a previous appeal at the site Ref (APP/H5390/Z/16/3152582). Nonetheless, the proposal would represent a significant departure from the existing advertisements in the area. Due to its size and siting, the proposed shroud advertisement would result in a large, conspicuous and discordant intrusion into the street scene which when viewed from Fulham Broadway to the east would detract from views of the conservation area and nearby listed buildings.
 14. Whilst the advertisement would only be displayed for a temporary period, the proposal would have a significantly harmful effect on amenity in this sensitive location for the duration of its display, a matter that I have afforded significant weight. The identified harmful impacts would be significant and would not be sufficiently offset by the temporary nature of the proposal.
 15. Therefore, I conclude that the appeal proposal would fail to preserve or enhance the character and appearance of the Conservation Area and would harm the setting of the listed buildings at Fulham Town Hall and Fulham Broadway Underground Station. The appeal proposal would have a significantly

harmful effect on amenity. As such, it would conflict with Policy DC9 of the HFLP which seeks to protect amenity and which is relevant to this case.

Public safety

16. I am required to consider the safety of persons using the adjacent highway. The advertisement would be most notable to drivers when approaching the junction with Harwood Road from the east along Fulham Broadway.
17. Whilst the advertisement would be positioned beyond the junction, by reason of its positioning on the upper elevation of the building it would be at a height where it would not reduce the clarity or effectiveness of the traffic signal heads at the junction.
18. Further, there is nothing particularly complex about the junction and the advertisement would not be especially unusual or distracting for drivers. I therefore conclude on this issue that the proposal would not have a detrimental effect on public safety.

Other Matters

19. The proposed works at the building would be the replacement of windows and stone cleaning. It may be the case that the provision of timber windows in place of upvc could offer some improvement in terms of appearance. However, details of how the replacement windows fit in with the historical context of the building are limited. Further, the existing windows are not of excessively poor appearance.
20. There is nothing within the evidence which convinces me that such works would take place only with the benefit of advertising revenue. They are minor works that any owner of such a building would expect to have to undertake from time to time as a matter of course.
21. The appellant raises concerns over the Council's handling of the application. However, these are not matters for my consideration and instead should be referred for resolution via the Council's complaints procedure, if the appellant so wishes.

Conclusion

22. For the reasons given above, I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR