



Appeal Decision

Site Visit made on 24 November 2021

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal Ref: APP/H5390/Z/21/3278143

20 Fulham Broadway, Fulham, London SW6 1AH

- 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 Giovanni Leuzzo of BLOW UP MEDIA UK LTD against the decision of London Borough of Hammersmith and Fulham.
 - The application Ref 2021/01516/ADV, dated 5 May 2021, was refused by notice dated 30 June 2021.
 - The advertisement proposed is a temporary decorative scaffold shroud screen advertisement comprising a 1:1 image of the building facade with an inset advertising and information area measuring 12m x 8m.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed advert on the amenity of the area including the effect on the character and appearance of the Walham Green Conservation Area and the setting of 9 to 19 Jerdan Place; and public safety.

Reasons

3. The appeal site relates to a 6-storey building located next to the A304, which is a London distributor road. The building is used for retail with offices, and it is located on a triangular piece of land at the junction of Vanston Place, Jerdan Place and Fulham Broadway. The site is within a busy and vibrant area with a high number of vehicular and pedestrian movements. The character of the area is commercial with shops and other businesses on the ground floors and residential above. The area has a range of adverts linked to businesses.

Amenity

4. Planning permission has been granted for works to the building. These are taking place and scaffolding, and a white shroud surround the exterior of the building. The intention behind the proposal is for the shroud and advert to be more decorative. The advert is smaller than the advert subject of an earlier scheme with the proposed advert measuring 12 metres by 8 metres instead of 18.3 metres by 10.9 metres.
5. The groups of two and three storey houses comprising Nos 9 to 15 and Nos 17, 17a and 19 are to the west of the appeal site along a narrow section of Jerdan Place beyond the A304. Jerdan Place is a former market and was named as such until 1877. The three-storey terrace is constructed from yellow stock brick whereas the two storey buildings have painted brick and rendered ground

floors. They are examples of local vernacular. Commercial units occupy the ground floors of these properties which have a group value but do have fascia and projecting signs above their ground floor shop fronts which is typical for the wider area. However, there are instances of advertisements higher up on buildings usually at first floor level in the wider area.

6. The advert set within the shroud would be in a prominent location and occupy three storeys of the building. However, it would be set in from either side. The size of the advert would be, whilst reduced and proportionate to the appeal building, of a considerable scale that would not relate to the scale of advertising found in the area. It would introduce an advertisement above that typically found in the area, which allied to its scale, would be harmful to visual amenity. The effect would be time limited and linked to when the scaffolding is in place, but the impact of the advertisement would be overwhelming. I saw that the shroud in situ is well maintained, tidy and does not unduly detract from the townscape or visual amenity of the area. It is not an eyesore.
7. Although planning conditions could be used to control the period of harm so that there would be no long-lasting effect, the insert image and the intensity of illumination, the harm to the visual amenity of the area including the Conservation Area would still arise in the short term and be abundant to a high number of people during this time. The absence of any representations does not change this.
8. Having regard to the siting, relationship, and commercial nature of the area, the proposal would have a neutral effect on the setting of the listed buildings.
9. Reference is made by the Council to a cumulative impact from scaffold shrouds, but there is no substantive evidence to support the Council's concerns.
10. The example cited at Holland Park seems to be of a different size and scale to the appeal scheme that is before me and I do not know the circumstances that led to this shroud being granted at appeal.
11. There would be benefits from the proposal insofar as public information and economically from the advertisement itself. However, these matters carry modest weight due to the remaining timescale before works are completed even if it would help the economic recovery. I consider that they would not outweigh the identified harm. I recognise the overhead lighting is an optional feature but in this well-lit and busy environment it is not a matter that affects the outcome of the case.
12. For the reasons set out above, and considering the proposal on its own merits, I conclude that the advertisement would harm the visual amenity of the area and fail to preserve or enhance the character or appearance of the Walham Green Conservation Area. There would be conflict with Policies DC8 and DC9 of the Hammersmith & Fulham Local Plan (Local Plan) which jointly seek a high standard of design of advertisements to ensure that heritage assets are conserved, adverts are in scale and in keeping with the character of their location, so that shroud adverts do not impose a detrimental impact on the building or street scene in terms of size. There would also be conflict with Key Principle AH2 of the Planning Guidance Supplementary Planning Document (SPD) which seeks the conservation of heritage assets and Paragraph 136 of the National Planning Policy Framework.

Public safety

13. Traffic light controlled pedestrian crossings are near to either side of the appeal building. There are side roads leading off Fulham Broadway near to these crossings. The road bends to the south-west by Jerdan Place, but the road layout is otherwise straightforward, legible and there is good visibility.
14. The proposed advertisement would be positioned centrally on the shroud within the centre of the building. A static image would be displayed, and it would be viewed above the traffic lights at either end of the building. The area is heavily trafficked but large-scale adverts next to highways are not uncommon. In this case, the siting and size of the advert would not cause an undue distraction to motorists due to the layout of the road, good visibility, traffic light controlled pedestrian crossings and uncomplicated road markings and signage. The fact that the road is a major bus route does not alter my view that the proposed advert would not cause undue distraction. The Council content that a substantial level of additional evidence would be needed to show that there would be no adverse impact on the safe operation of the highway, but I have been able to reach a judgement based on the evidence before me.
15. This leads me to conclude that the proposed advertisement would not harm public safety. As such, there would not be any conflict with Local Plan Policies T6 or DC9 which seek to ensure that advertisements do not have a harmful effect on public safety or prejudice the effectiveness of the road. The proposal would also accord with Key Principle TR28 of the SPD which states that applications for advertising should adhere to Local Plan Policy DC9.

Conclusion

16. I recognise the Planning Practice Guidance points to these types of advertising maybe being acceptable but, in this case, for the reasons set out, I conclude that the display of the advertisement would be detrimental to the interests of amenity. This outweighs my finding about public safety.
17. For these reasons I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR