



Appeal Decision

Site visit made on 13 December 2023

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2024

Appeal Ref: APP/H5390/Z/23/3330733

Land South of White City Underground Station, Wood Lane, Hammersmith and Fulham, London W12 7RH

- 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 London Lites Ltd against the decision of the London Borough of Hammersmith and Fulham Council.
 - The application Ref 2023/01874/ADV, dated 18 July 2023, was refused by notice dated 13 September 2023.
 - The advertisement proposed is one double sided freestanding LED digital advertisement display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Subsequent to the decision made by the Council on the application to which this appeal relates, the National Planning Policy Framework has been revised. I have therefore made my decision with regard to the National Planning Framework (December 2023) (the Framework).

Main Issue

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) sets out that powers under those Regulations shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
4. From my reading of the material submitted for the purposes of this appeal the main issue is the effect of the proposal on the visual amenity of the area, with reference to the Wood Lane Conservation Area (the CA) and the setting of the Grade II listed Television Centre and the White City Underground Station, a locally listed building of architectural merit.

Reasons

5. The appeal site comprises land associated with the White City Underground Station, which sits behind a brick wall boundary to the street. On my weekday morning visit the appeal site appeared to be set within busy area on a road transport corridor between two underground stations. The appeal site falls

within the CA, the significance of which as a heritage asset has been recognised by the Council through its designation. The appeal site forms part of the land associated with the locally listed White City Underground Station and sits across the road from the Grade II listed Television Centre.

6. The CA and Listed Building are heritage assets to which I have a statutory duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must have special regard to preserving the setting of a listed building and pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
7. The appeal relates to the proposal for a double sided LED display screen on a supporting pedestal, measuring a combined 7.6 metres in height with screens measuring 4.5 metres tall by 3 metres wide. The advertising signage in the immediate local area is minimal and is generally visually restrained and unobtrusive. The proposed double sided advertising screen would be prominently located close to the existing boundary wall with the highway and angled to be highly visible to both pedestrians and vehicular traffic.
8. Whilst these types of advertisements are becoming more common in streetscapes in the UK, there does not appear to be any similar free standing LCD advertising screens visible in the public realm of the immediate local area. Further away, there is however a large digital advertising screen on the frontage of the Westfield Shopping Centre, set back some distance from the public realm, which would be seen in conjunction with the proposal on some southerly views.
9. The proposed LCD advertising screens would present illuminated static advertisements that the appellant indicates would change virtually instantly every 10 seconds or potentially 30 seconds if required. It is further proposed that the level of luminance of these screens could be controlled through a suitable condition on an approval. However, notwithstanding this ability to control the level of illumination and change of advertisements and the presence of the Westfield advertising screen some distance away, the advertisements evident in the immediate local area are small scale, visually restrained and mostly unobtrusive.
10. Within this context, the size and positioning of the proposed double sided illuminated advertising screen would result in it appearing as unduly prominent and incongruous. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating their visual prominence and would be visually dominating in the context of the local streetscape and visible in both foreground and background views of both the Grade II listed Television Centre and locally listed White City Underground Station.
11. The proposal would, thereby, result in an unduly prominent and incongruous addition to the streetscape of the local area, detracting from its visual amenity and not taking into account the preservation or enhancement of the character and appearance of the CA, the setting of the listed Television Centre and the locally listed underground station, which constitutes a Non-Designated Heritage Asset (NDHA), as defined by the provision of the Planning Practice Guidance. Accordingly, I have considered the effect of the proposal in line with paragraph 209 of the Framework.

12. For these reasons, I find that the proposed development would result in substantial harm to the established character and appearance of the local area and to the setting of the locally listed White City Underground Station. I further find, for the reasons given above, that the proposed advertisement would fail to preserve or enhance the character and appearance of the CA and would result in significant harm to the setting of Grade II listed Television Centre. In the context of paragraph 208 of the National Planning Policy Framework (2023) (the Framework), the harm I have identified to the significance of the CA would be less than substantial.
13. This would be contrary to Policies DC1, DC8, DC9, WCRA and WCRA1 of the the Hammersmith and Fulham Local Plan (2018), policy HC1 of the London Plan (2021) and paragraph 141 and Sections 12 and 16 of the Framework (2023) which collectively seek to ensure the quality and character of places including the White City Regeneration Area, and that advertisements have regard to the local context and character of an area and its visual amenity, having due regard to the importance of preserving or enhancing heritage assets.
14. The appellant has drawn to my attention the potential benefits of the proposal including reduced paper waste and fuel and energy saving compared to older illuminated and non-illuminated advertisement methodologies. The environmental benefits are, however, only potential comparative benefits rather than definite, as there is currently no existing advertisement that the proposal would replace. As these potential benefits are, at best, notional and marginal, I have only afforded them limited weight in my considerations.

Planning Balance and Conclusion

15. Whilst the proposal has limited public benefits, as set out above, I find that these do not outweigh the significant harm to the visual amenity of the area, the setting of the Grade II listed Television Centre and the less than substantial harm to the character and appearance of the CA that I have identified. Accordingly, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR