



Appeal Decision

Site visit made on 8 April 2025

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 1 May 2025

Appeal Ref: APP/H5390/Z/24/3347511

567-569 Fulham Road, Hammersmith and Fulham, London SW6 1ES

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Ms Maddalena Sanvito, Street Vox, against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2024/00720/ADV.
 - The advertisement proposed is a printed scaffolding shroud with 1:1 image of building and 1x inset advertising areas measuring 8m (w) x 3.5m (h) for a period of six months.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised 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.

Main Issue

3. The main issue is the effect of the proposed advertisement on the visual amenity of the area, with particular regard to designated and non-designated heritage assets.

Reasons

4. The appeal site relates to a prominent, four-storey, corner building at the junction of Fulham Road and Harwood Road. It is located within the Walham Green Conservation Area which is focussed on an historic core of commercial and residential properties and its network of streets and junctions. The area in the vicinity of the appeal site is characterised by its largely commercial character with traditionally proportioned and detailed buildings with shops below, grouped tightly around the road junction. Many of the buildings exhibit a rich and varied architectural treatment which provides local distinctiveness and interest within the streetscape, but also an overall visual harmony to upper elevations. The linear nature of the streets allows long sightlines along the building frontages.
5. Although a busy commercial area, I saw that most advertisements are associated with commercial and retail uses located at ground floor level. Typically, this is fascia shopfront signage which is not overly bright or garish and is reflective of the

heritage context. Where signage does occur on upper elevations this is typically restrained in size and colour, and is predominantly text rather than imagery.

6. The building subject to this appeal is an ornately detailed period property which elegantly turns the corner of the road and makes a positive contribution to the character and appearance of the area. Key features include its traditional shop frontages which wrap around the building and the finely detailed brickwork above with an attractive range of period windows and stone detailing. The Council has identified the property as a Building of Merit due to its local and architectural distinctiveness and I have no reason to disagree.
7. Lying to the rear of the appeal site is Fulham Town Hall, a Grade II* listed building (Ref.1191939) which has frontages to Fulham Road and Harwood Road. It is a late 19th century, civic building and the list description mentions that the building is designated, in part, for the architectural interest of its two main facades, its state of preservation and its historic interest. Its significance, for the purpose of this appeal, is derived from its age, function, historic fabric and its architectural interest. The building is prominently viewed within the surrounding historic streetscape, and this contributes to its significance. The appeal property is seen in conjunction with views of the Town Hall, especially when standing at the road junction looking along Fulham Road and Harwood Road, and it contributes positively to the environment in which the Town Hall is experienced and understood.
8. 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 (the Act), in so far as it relates to the consideration of amenity. The National Planning Policy Framework (the Framework) sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
9. The appeal proposal would comprise a 1:1 shroud printed with an image of the building façade which would be fixed onto scaffolding for a temporary period of six months whilst building works are underway. It would incorporate an externally illuminated inset advertising area on the Fulham Road elevation sited horizontally in line with its first floor windows.
10. The Planning Practice Guidance (PPG) states that buildings which are being renovated or are undergoing major structural work and which have temporary scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements. The guidance further explains that if the locality has important scenic, historic, architectural or cultural features, consideration should be given to whether the advertisement would be in scale and in keeping with these features. Alongside, I have considered the provisions of the development plan. Of particular relevance is Policy DC9 of the Hammersmith and Fulham Local Plan (2018) (HFLP) which states, amongst other things, 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.
11. Whilst the area of the proposed advertising has been reduced in comparison to earlier schemes, nonetheless, the proposal would still represent a significant departure from existing adverts in the area. The advertisement would be prominently sited, occupying a full storey above the ground floor and straddling

two windows, and would dominate the street scene along the Fulham Road frontage. It would also be viewed in the context of wider views at the road junction and in much longer views from the north west along Fulham Road where it would be a dominant and conspicuous feature terminating this view. Due to its siting and size, it would be a large, and discordant intrusion into the street scene which would be jarring and inappropriate in the relatively enclosed historic streetscape and in the context of existing adverts in the area. It would therefore significantly detract from the prevailing character and appearance of the conservation area and would also be prominently seen in conjunction with the Fulham Road elevation of the Town Hall, thereby diminishing its significance.

12. The appellant suggests that the shroud would display an image of the property to mask building works which may appear unsightly and that the advert itself would also only cover a relatively small percentage of the total shroud area. However, scaffold and sheeting are not unexpected or necessarily unsightly in these locations and although the building is prominently located, they would be seen as an obviously temporary feature during building work and would be recognised as such. The appellant also suggests that the shroud would contain dust and debris, but these matters would need to be addressed in any event on a building site.
13. Despite any visual benefits of the illustrated shroud, the inset advertisement, even when displayed for a temporary period, would be an intrusive and harmful feature in an elevated and conspicuous location. It would not assimilate with its heritage context and would detract from the significance of its surroundings. The identified harmful impacts attract significant weight and would not be sufficiently offset by the visual benefits of the illustrated shroud or the temporary nature of the proposal. Even with conditions including limiting the duration of the proposal, the pictorial image and controls to limit the advertisement, the harm would not be adequately mitigated.
14. Whilst I recognise that temporary planning permission was given in 2008 for a much larger illuminated advertisement panel on a mesh screen on this building and in a similar position (2008/01508/ADV) this was some time ago. The Framework and development plan policies have changed in this time and the Council has referred to its recent street scene improvement programme to remove inappropriate advertisements. Allowing this appeal would undermine those efforts. Although the Council's policies support advertisement shrouds and some proposals have received consent elsewhere, the suitability of each is dependent on site specific circumstances. In the case at Uxbridge Road nearby (23/00262/ADV), although there appear to be similarities with this appeal proposal, based on the limited information before me, that building appeared to have more open surroundings and some relatively modern buildings nearby. I am therefore not convinced that the circumstances are comparable to those before me and ultimately, each must be considered on its merits.
15. The Appellant references the supporting text of HFLP Policy DC9 which requires advertising revenue to directly contribute to the restoration of the heritage asset. Although I note that a planning application has been submitted for development on the site, I have little information to suggest that the development, if permitted, would directly contribute to the restoration of the heritage asset. Nor is there adequate detail of what these works might be or how they would be secured. Furthermore, there is little evidence to convince me that any such works would only take place with the benefit of advertising revenue.

16. The proposal would therefore have a harmful effect on the visual amenity of the area, with particular regard to designated and non-designated heritage assets. It would not meet the expectations of the Act and would conflict with HFLP Policies DC8, DC9 and the PPG which seek to protect amenity and are relevant to this case. There is also conflict with the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

17. When determining advertisement consent appeals within a conservation area or in relation to a listed building the question of less than substantial or substantial harm in the Framework is not relevant, as the policy only applies to the heritage-related consent regimes under the Act. It is also not necessary to undertake the weighing of public benefits against the heritage harm. I have, however, considered the positive attributes of the proposal and taken these into account in arriving at my decision.

Conclusion

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

G Bayliss

INSPECTOR