



Appeal Decision

Site visit made on 4 July 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/H5390/Z/25/3364319

80 Fulham Palace Road, London W6 9PL

- 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 Joe Arshed (MediaCo Out of Home) against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2025/00484/ADV.
 - The development proposed is display of an externally illuminated banner sign fixed onto the scaffolding fronting Fulham Palace Road, for a temporary period from 1st July 2025 to 1st July 2026.
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Decision

1. The appeal is dismissed.

Main Issues

2. Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) and the National Planning Policy Framework state that advertisements should be subject to control 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.
3. In view of the reasons for refusal listed on the Council's decision notice, the main issues are the effect of the proposal on (i) the visual amenity of the area and (ii) public safety.

Reasons

Visual Amenity

4. Planning Practice Guidance (PPG) sets out that factors relevant to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest. The PPG adds that amenity is understood to mean the effect on visual amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. The PPG also advises that in assessing amenity the local characteristics of the neighbourhood should always be considered including whether it is in scale and in keeping with these features.
5. The appeal site is a two-storey building located on Fulham Palace Road. The character of the area in the vicinity around the appeal site comprises two to three storey properties with commercial uses on ground floors and other uses on upper

floors. The application building occupies a prominent corner position on the street. Advertisements nearby are characterised as being small scale and at ground floor for individual shopfronts. Large adverts above ground floor do not form part of the character of the area.

6. The site is located within the Crabtree Conservation Area (CA). The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act) states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. I understand that the special significance and character of the CA mainly derives from a varied townscape that includes Victorian and Edwardian era period architecture and detailing. This is supported by advertisements on shopfronts being contained mainly to the ground floor of buildings. The appeal site building contributes positively to the character of the CA due to its corner plot and distinctive design as an old public house.
7. Policy DC9 of the Hammersmith and Fulham Local Plan 2018 (HFLP) requires a high standard of design for advertisements that should be in scale and in keeping with the character of their location. Policy DC9 refers to advertisements should normally be located at ground floor whilst also then providing specific and separate policy for advertisement shrouds. In view of this distinction, it is evident that an advertisement shroud above ground floor is not necessarily unacceptable in principle where it meets the specific provisions for this type of advertisement as set out in Policy DC9. Policy DC9 states that advertisement shrouds will be permitted where the advertisement would not impose a detrimental impact on the building or street scene in terms the size, illumination and / or content.
8. The proposed advertisement shroud would be installed for a temporary period up to 12 months while building works take place behind it. The advertising screen will show a 1:1 image of the building, public house signage, and illuminated integrated advertisement space. I have no reason to doubt that the proposed building works behind the proposal are legitimate and that the appellant is seeking to present an advertisement that is more visually appealing than what would otherwise be scaffolding and a blank shroud.
9. However, although the proposed advertisement space has been reduced from 50% to 33% compared to the previous scheme Ref: 2025/00484/ADC, it still appears overly large and would dominate the shroud due to its prominent placement, width, and height spanning two floors. This would make the building image on the shroud appear secondary and almost inconsequential. While I acknowledge that showing the building at a 1:1 scale is an improvement over scaffolding or a blank shroud, any benefit from it in this case is undermined by the excessive and disproportionate size of the advertisement section.
10. The resultant advertisement component would, therefore, appear as an unacceptably dominant feature in the street scene out of keeping with the character of the area, which overwhelmingly comprises small scale advertisements on the ground floors of building. The overly large and dominant effect of the advertisement would also harm the special character of the CA due to its size and prominent position in the street scene in a context where, above ground floor, buildings largely retain their original appearances free of advertisements. The proposal due to its height would be visible from longer range views from further along the road, which would further detract from the CA's overall character and appearance.

11. I appreciate that the proposal would be only for a temporary period of up to 1 year during which time it would provide a more active frontage than scaffolding and a blank shroud. However, as set out, the advertisement section of the shroud is too large and would be unacceptably prominent in the street scene. Therefore, whilst I fully acknowledge it would be temporary, the proposed duration of the advertisement would be a significant amount of time for the identified harm to remain in situ.
12. The appellant referenced an example of scaffolding and a blank shroud at 110-112 Fulham Palace Road. Such examples are a common aspect of building works, although they may appear out of place while present. In this case, the claimed public visual benefits of the proposal compared to standard blank shrouds, such as at 110-112, are reduced due to the size of the illuminated advertisement component and do not sufficiently justify the identified impact.
13. I agree with the appellant that the references in the Council's officer report to street scene improvements that have been undertaken are not relevant to the consideration of this appeal, which must be treated on its individual merits. However, as set out, the proposal would harm the visual amenity of the area due to the illuminated advertisement component's size and prominence.
14. In accordance with the Regulations, I have considered the provisions of the development plan insofar they are relevant and conclude that the proposal is not supported by Policy DC9 of the HFLP, which seek to protect visual amenity. Policy DC8 of the HFLP seeks to conserve the character and appearance of heritage assets, which would not be achieved in this case. There are no public benefits that would outweigh the harm to the CA.

Public safety

15. I have reviewed the Technical Transport Note submitted by the appellant and note the different views between the Council's Highway team and Transport for London (TfL). I also observed the local highway conditions on my site inspection, which took place during the middle of the day. I noted that there whilst there were high volumes of traffic moving through Fulham Palace Road the local environment as it exists today did not appear to be unduly distracting in terms of existing advertisements and signage. Whilst only a snapshot in time I have no reason to believe this was an inaccurate depiction of the local highway conditions.
16. I acknowledge that the appeal proposal would introduce a large and prominent illuminated advert seeking to attract views to it, which has potential to add a further distraction to the area above ground floor. However, as the appellant's note sets out reports of accidents are relatively low and do not indicate there is a road safety issue in the area at the present time that would materially change as a result of this proposal.
17. I note that TfL in their capacity as traffic authority for Fulham Palace Road also advised that subject to conditions to control illumination, the proposal would be acceptable. Had I been minded to allow the appeal I would need to consider these conditions further to ensure they would be reasonable in all respects. However, as I have found the appeal to be unacceptable for other reasons I do not need to consider this matter further in this decision.

Other matters

18. I acknowledge that the cost of erecting scaffolding purely for the displaying of a temporary advertisement is likely to be prohibitive. This would also mean in practice that the advertisement would only need to start when the building works have commenced, which could be conditioned. However, this is not a determinative matter for this appeal and does not provide any material support for the proposal or outweigh the harm identified.

Conclusion

19. For the reasons given above and considering all matters raised, the appeal is dismissed.

N Perrins

INSPECTOR