



Appeal Decisions

Site visits made on 10 June 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal A Ref: APP/H5390/W/24/3357918

Pavement outside White City Station, Wood Lane, Shepherds Bush, London W12 7RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2024/01951/FUL.
 - The development proposed is 'Installation of Pulse Smart Hub with integrated digital screens'.
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Appeal B Ref: APP/H5390/H/24/3357919

Pavement outside White City Station, Wood Lane, Shepherds Bush, London W12 7RH

- 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 Urban Innovation Company (UIC) Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2024/01952/ADV.
 - The advertisement proposed is 'Installation of Pulse Smart Hub with integrated digital screens'.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. There are 2 appeals concerning applications for planning permission and advertisement consent for a smart hub with integrated advertisement screens. Although the appeals are determined under separate legislation, they are intrinsically linked. Therefore, for the sake of expediency, and to avoid duplication, I have dealt with both appeals in the same decision letter.
4. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the regulations) require that advertisement appeal decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) confirm this approach. The development plan policies referred to by the Council in the respective decision notices are therefore not determinative, but I have taken them into account as a material consideration.

Main Issues

5. The main issues are the effects of the proposals on:
- The character and appearance/visual amenity of the area;
 - Heritage assets; and
 - Public safety and pedestrian convenience.

Reasons

Character and Appearance/Visual Amenity

6. The appeal site for the proposed smart hub and advertisement is located to the rear of the footpath adjacent the entrance of the White City underground station on Wood Lane. Generally speaking, the area includes a mix of commercial and residential uses. The road is heavily trafficked, although the footpaths and treelined streets offer some sense of space set amongst the busy environment created by people and vehicles. However, the footpath around the appeal site includes a proliferation of existing street furniture. This includes older telephone boxes, lampposts, traffic lights, a bus stop, litter bins, cycle racks and space designated for electric bikes and scooters for hire. The smart hub would be positioned between the latter and a lamppost.
7. The hub itself would be approximately 2.5m tall and therefore of a similar height to the bus stop and telephone boxes whilst also being of slimmer profile. However, I observed the footpath to be very cluttered at the time of my site visit. The parking of hireable bikes and scooters in particular was untidy and covered a significant area, including outside of the designated parking area. The addition of further street furniture in the form of the smart hub would add to the visual and physical clutter in the general area in a harmful manner by eroding the sense of space with a large structure of utilitarian appearance.
8. This would be exacerbated by the dual advertisement screens on the facing sides of the hub, which would feature alternating advertisements on screens of considerable sizes. Although there are other advertisements in the area, these are somewhat muted, and while the adjacent bus stop has a display, it is further from the cluttered section of the footway intended to host the hub and advertisements. The proposed advertisements would therefore exacerbate the hub's prominent siting as the display of digital images would further draw the eye to it. They would appear as dominant and incongruous additions in this environment.
9. I note the display would operate in line with guidance from the Institute of Lighting Professionals and other controls which would control the level of illumination among other things. However, this would still not overcome my concerns with the proposal's effects on the visual amenity of the area.
10. To conclude on this main issue, the smart hub would be contrary to policies DC1, DC8, WCRA and WCRA1 of the of the Hammersmith and Fulham Local Plan (LP) (adopted February 2018), which seek to ensure the quality and character of places including the White City Regeneration Area, among other things.
11. The advertisement would also be harmful to the visual amenity of the area and insofar as it is a material consideration, would be contrary to policy DC9 of the LP

which seeks to resist excessive or obtrusive advertising and illuminated signs which adversely affect the character and appearances of the neighbourhood or the site/building.

Heritage Assets

Special Interest and Significance

12. The appeal site is within the Wood Lane Conservation Area (WLCA). As such, I have a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
13. The BBC building¹ is located on the west side of Wood Lane opposite the appeal site. It is Grade II listed and while it is referenced in the address of the Council's delegated report and mentioned in the assessment, it was not established whether the Council considered the proposal would be in the setting of the listed building and therefore whether it would preserve its special interest and significance. As decision maker, I have had special regard to section 66(1) of the Act and the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Council and appellant were invited to submit additional comments on this matter. Both agreed that the proposal would be in the setting of the listed building but that it would preserve its special interest and significance.
14. Furthermore, the adjacent White City underground station is evidently a locally listed building or non-designated heritage asset (NDHA). While a non-designated heritage asset does not have statutory protection, the Framework advises through paragraph 216 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
15. I have had regard to the Planning and Heritage Statement². Although there is reference to paragraph 200 (now 207) of the Framework which requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting, the heritage section of the statement does not establish the significance of either the designated or non-designated heritage assets.
16. From my own observations, the WLCA is largely split either side of Wood Lane, and broadly comprises 3 main sections; the BBC building to the south west; the White City Close residential area and areas of open space to the north west; and the White City underground station and industrial and commercial buildings to the east. The character and appearance, and thereby significance, of the WLCA is formed of its landmark buildings such as the BBC and the underground station, as well as the mixture of residential and commercial land uses.
17. The BBC building is formed of an original ring-shaped building at its core which is formed of brick, glass and steel. Studio 1 is located to its eastern side and features

¹ List Entry Number: 1393371; List Entry Name 'BBC Television Centre, Including the Main Circular Range Excluding the Spur, the Original Scenery Block and the Former Canteen'.

² DPV Consult – 24 July 2024, ref DP/20075

the instantly recognisable plain brick façade with facing white discs and BBC logo which is synonymous with the building. The site as a whole has been expanded several times and now forms what is described as a 'question mark' shape, with an outer core around the original ring and modern 'spurs' from the centre reaching out towards Wood Lane.

18. The listing description makes clear that the only elements of the building which are of special interest and designated are the central ring of the main building and Studio 1. This specifically excludes the peripheral studios and other blocks. The special interest and significance of the listed building is therefore drawn from historic, architectural and artistic interests. Historic and artistic interest comes in part from its role as the country's first purpose-built television studio complex, while there is also evidently fine art within such as sculptures and murals. Architectural interest is derived in part from its distinctive drum shape at its core and the distinctive façade of Studio 1 which is seen in numerous broadcasts and shows over the years and still recognisable today.
19. The setting of the listed building is therefore largely formed of the modern extensions to the front and the area along Wood Lane out to which it faces. The modern extensions are telling of the evolution of the building as the requirements of broadcasting advanced and more and more space was required. In this regard the modern elements contribute to a minor degree to the special historic interest of the building. Furthermore, the area around the BBC building along the road makes a minor positive contribution to the special interest and significance of the listed building.
20. The underground station is of a modular form with a flat roof and constructed of typical London style light brick with metal casement windows facing the street. It features a double height window over the entrance from the street but is otherwise generally of utilitarian design, which was likely a response to the financial challenges of the post-war period. The station building makes a positive contribution to the WLCA as discussed above, while its setting is generally formed of the area along the road and footpath lining Wood Lane. The development of the area from the construction of the station to the modern day and their interrelationship is telling in its design and as such, the setting of the NDHA makes a positive contribution to its significance.

Impacts of Proposals

21. As I have established, there is a large amount of existing street furniture in the general vicinity of the appeal site. This is generally unsightly, and the addition of the hub would add to the already cluttered street scene. It stands to reason that harm to the character and appearance of the area would also harm the significance of the WLCA, while harmful development within the setting of the BBC building and the underground station NDHA would also harmfully impact their special interest and significance. The advertisements would draw the eye to the proposal, further exacerbating its incongruity and harmful impact on the heritage assets.
22. To conclude on this main issue, the smart hub would be contrary to policies DC1, DC8, WCRA and WCRA1 of the LP, which seek to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets, among other things. The proposal would also be contrary to the

provisions of the Framework, including paragraph 212 which advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I shall return to this matter later in this decision letter.

23. The advertisement would also be harmful to the visual amenity of the area and insofar as it is a material consideration, would be contrary to policy DC9 of the LP which seeks to resist excessive or obtrusive advertising and illuminated signs which adversely affect the character and appearances of the neighbourhood or the site/building.

Public Safety and Convenience

24. The proposed site plan³ indicates that the hub would be located towards the rear of the footpath lining Wood Lane, with a setback of around 0.6 metres (m) from the road and 4.8m from the wall of the station, albeit I note the last distance is disputed. I am directed to the Planning Guidance Supplementary Planning Document (the SPD) (February 2018) within which key principle TR29 advises a minimum width of 3.5m of footway should remain clear and unobstructed in town centres and 1.8m outside of town centres when locating new street furniture. However, in either location where there is a high level of footfall, even over short bursts, a greater width may be required to remain clear and unobstructed.
25. I understand that the location is outside of a recognised town centre and as such, the lower advised limit would apply in this instance, although the Council advises a larger distance should be maintained given the site-specific circumstances. Even in the circumstances whereby a wheelchair user was operating the hub, this would still leave a clear distance of some 3m. From my observations on the site visit the remaining footway width would be suitable to ensure the safe and convenient flow of pedestrians with the hub in situ.
26. I observed on my site visit that the area around the appeal site was extremely busy with pedestrians coming and going and travelling past the tube station even at the mid-afternoon hour. The pedestrian controlled crossing directly opposite the entrance/exit of the station was very well used as a result. For motorists travelling south approaching this busy crossing, the advertisement would be in direct line of sight between the traffic lights to either side. On approaching the crossing, the advertisement screen would be a clear and distracting element in their line of view, particularly in hours of darkness. This would increase the threat of collisions between other vehicles, pedestrians and/or cyclists in this manner and pose an unacceptable risk to highway and public safety.
27. Taken together, although I have found no harm to pedestrian mobility through a reduced footway width, the proposal would harm public safety by way of increased vehicle collision risk caused by the advertisement display of the hub. This would be contrary to the regulations and policies T3 and DC10 of the LP, policies T1, T2, D5 and D8 of the London Plan (adopted March 2021) and guidance in the SPD. Together, these seek to ensure, among other things, that the public realm is well-designed and safe.

³ Drawing Number: HAF – WL1/2024/03 Rev No: A

Other Matters

28. My attention is drawn to a previous proposal at the same location for a hub and integral advertisement screen which was allowed on appeal⁴ in 2018. I understand that the 2018 hub was not implemented but the proposal before me is taller, has less depth and is slightly less wide with a more modern design generally. I have had due regard to this in my assessment of the proposal.
29. Consistency in decision making is important, as the various legal judgements that the appellant has provided highlight. Be that as it may, it is also incumbent on me as decision maker to form my own view, particularly with regards to the statutory duty given in the Act. Moreover, the extract of the appeal decision provided indicates that this was made under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) whereby the principle of the development is granted through the GPDO itself as opposed to the appeals before me which comprise a refusal of planning permission and express consent for an advertisement.
30. Furthermore, while the appellant points out that in their view the surroundings of the appeal site have not changed since 2018, the only reference to this is from the extract of the appeal decision which makes no reference at that time to the hired e-bikes which from my observations were a stark element of the streetscene. As such, from the evidence before me, there has been changes to the area in terms of additional street furniture.

Planning and Heritage Balance

31. I have found harm with regards to the character and appearance/amenity of the area and public safety. These matters weigh against the proposal considerably. Furthermore, there would be harm to the WLCA and settings of the BBC building and underground station NDHA. This would not preserve their special interest and significance. As per paragraph 212 of the Framework, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The harm that would arise to the designated and non-designated heritage assets would be less than substantial. This would be applied to each asset in turn. As per paragraph 215 of the Framework the harm to the heritage assets should be weighed against any public benefits of the proposal.
32. The appellant has highlighted several public benefits associated with the appeal scheme. This includes paragraph 119 of the Framework which supports advanced, high quality and reliable communications infrastructure which is essential for economic growth and social well-being. In particular, the hub would provide services such as free public phone calls, Wi-Fi, ad space for local businesses and the Council, device charging and defibrillators. Structures such as these are commonplace on streets in the UK, including the example cited in Belfast. These are worthy of positive weight in favour of the scheme although I disagree that this would be very substantial. This would be of moderate positive weight in favour and therefore not outweigh the harm I have identified.

⁴ Appeal Ref: APP/H5390/W/17/3183402

Conclusion

33. I have concluded that the proposal would harm the character and appearance/amenity of the area, the WLCA and setting of the NDHA. While I found no harm to pedestrian mobility and convenience, the advertisement would also adversely affect public safety in the area due to possible distractions to road users increasing the risk of collision with pedestrians and cyclists. As such, it would conflict with the development plan as a whole, the Regulations, the Act and Framework. The benefits as presented do not outweigh the harm. Both appeals are therefore dismissed.

C McDonagh

INSPECTOR