



Appeal Decision

Site visit made on 22 Sept 2025

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

an Inspector appointed by the Secretary of State

Decision date: 15 October 2025

Appeal Ref: APP/H5390/Z/25/3370669

4 Hammersmith Broadway, Hammersmith & Fulham, London W67AL

- 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 Infinity Outdoor against the decision of the London Borough of Hammersmith & Fulham Council.
 - The application Ref is 2024/02920/ADV.
 - The advertisement proposed is a temporary decorative scaffold shroud screen advertisement comprising a coloured 1:1 image of the building façade with an inset advertising area measuring 10 metres wide X 10 metres high for a period of 12 months.
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Decision

1. The appeal is dismissed.

Main Issues

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set 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.
3. The main issues are the effect on:
 - the visual amenity of the area; and
 - Public safety as it relates to road users.

Reasons

Character and Appearance

4. The proposed non-illuminated 10 metre by 10 metre advertisement would be positioned centrally on shrouded scaffolding that would include a 1:1 facsimile of the appeal buildings at 2, 4 and 6 Hammersmith Broadway, which make up the appeal site. These appear to be a late 19th Century 4 storey mid terrace building, with many surviving original architectural features. These are in commercial use at ground floor with what appears to be a mix of commercial and residential uses on upper floors.
5. The appeal site is located at the junction of Hammersmith Road and Shepherd's Bush Road, opposite the Hammersmith Station Broadway Shopping Centre. On my site visit I observed that there were no large scale advertisements in the wider

area, where the levels of signage and advertising appeared restrained and predominantly located at ground floor level or associated with ground floor commercial and retail uses.

6. The appeal site is within the boundary of the Hammersmith Broadway Conservation Area (the HBCA), the significance of which derives from the rich mix of town centre buildings that demonstrate a variety of architectural expressions of high quality, including the 19th century buildings that comprise the appeal site. This also includes listed buildings at 28 Hammersmith Broadway, 46 Hammersmith Broadway and the Sacred Heart School, as well as a locally listed building and Non-Designated Heritage Asset (NDHA) at 8 Hammersmith Broadway, the settings of which the appeal site forms part.
7. The appeal site also forms part of the immediate setting of the adjacent Brook Green Conservation Area (the BGCA), the boundary of which runs down the party wall of No.6 and to the rear of all buildings that make up the appeal site. The significance of the BGCA rests in the green itself and the richness of the architecture that makes up the surrounding local townscape.
8. In line with the duty imposed on me by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA's and preserving the setting of the listed buildings. I have also considered the effect of the proposal on the NDHA in line with paragraph 216 of the National Planning Policy Framework (2024).
9. On the day of my site visit the appeal buildings were shrouded to the front with a plain scaffolded shroud. I can agree with the appellant that that a shroud that includes a 1:1 facsimile of the buildings would be a more visually harmonious and less obtrusive than the plain shroud currently on site. However, the proposed 10 metre by 10 metre non-illuminated advertisement would be positioned centrally on the shrouded scaffolding, would be of so large a size that it would interrupt the effect of the facsimile and would be very apparent in views in and around the local area.
10. In this regard, the proposal would not represent an adequate balance with regard to the size of the proposed advertisement and the proposed scaffold shroud facsimile and its identified amenity benefits compared to the blank shroud currently on site. In coming to this conclusion, I have had regard to the recent High Court decision¹ regarding the effect of facsimile scaffold shrouds and associated advertisements and the balance of benefits, having regard to the temporary nature of such proposals, to which I have afforded significant weight.
11. In views from within the local area, the proposal would not be seen in conjunction with any other large first floor advertisements, as the advertising in the local area is generally very restrained, smaller scale and mostly limited to ground floor level. As such, the large size and high level position of the proposal would result in it appearing as unduly prominent and obtrusive, interrupting the architectural qualities of the area, and distracting from its character and appearance. As such the proposal would fail to preserve the character and appearance of the HBCA and the

¹ REF: Southwark LBC v SSHCLG & Blow Up Media Ltd [2025] EWHC 1556 (Admin)

setting of the BGCA and would fail to preserve their character or appearance and would, therefore, be harmful in terms of their significance as heritage assets.

12. Similarly, the size, elevated position, undue prominence and obtrusive visual effect of the proposal would also be apparent in views of the listed and locally listed buildings I have identified above. This would significantly detract from their setting, which currently benefits from being made up of buildings of architectural quality and limited advertising presence, including at the appeal site. As such, the proposal would fail to preserve their settings and would be detrimental to the appreciation of their significance as designated and undesignated heritage assets.
13. Overall, and for the reasons given above, I find that the scale, elevated position and resulting undue prominence and obtrusive effect of the proposed advertisement would have a substantial detrimental effect on visual amenity of the local area.
14. The appellant has brought to my attention an allowed appeal² for an advertisement facsimile scaffold shroud at 28 Hammersmith Broadway. I note from that appeal decision that the allowed proposal followed from an earlier dismissed appeal for a proposal for a larger advertisement, and the inspector in allowing the appeal found the balance between the facsimile scaffold shroud and advertisement to be satisfactory for the temporary period proposed. In doing so, the Inspector considered the proposal in the allowed appeal on its own merits. I have done likewise in this instance and find that the detrimental effects of the appeal proposal I have identified above, although temporary in nature, would exist for the 12 month period that the proposal is intended to be in place.

Public Safety

15. The Council's decision notice states that in the absence of a road safety audit the proposal fails to demonstrate whether the proposal would mitigate against being a source of potential distraction to users of the highway network in the locality of the application. However, similar to the Inspector in the allowed appeal on a nearby site that I have referred to above, I find that the proposed non-illuminated and static advertisement would be inherently limited in its potential for distracting users of the nearby pedestrian crossings, bicycle lanes and vehicular lanes.
16. The proposal would face onto the road network in the local area. However, the local scene is a busy one, with traffic, traffic lights, people and a vibrant townscape made up of buildings with a wide variety of architectural expressions. In this context, given the inherently limited potential distraction I have identified, the proposed advertisement would not appear particularly distracting to road users to the extent that it would represent a harm to highway safety.
17. As such, the proposal would not conflict with Policies T1 and T6 of the Hammersmith and Fulham Local Plan (2018) (the Local Plan), which seek to ensure safe environments for cyclists and pedestrians and the effective and safe use of roads. In this instance, lack of harm in this regard is a neutral factor in my considerations.
18. For the reasons given above the proposal would result in less than substantial harm to the character and appearance of the CA, the designated and undesignated

² Appeal Ref: APP/H5390/Z/21/3281363

heritage assets I have identified above, to which I have given significant weight, and would result in substantial harm to the visual amenity of the area. As such the proposal does not accord with Policies DC1, DC8 and DC9 of the Local Plan, which, amongst other matters, seek to ensure the high quality design of advertisements, whose scale is in keeping with the character of their location, respects townscape context and has due regard to the importance of preserving or enhancing the significance of heritage assets.

Conclusion

19. The economic and social benefits of the proposed advertisement do not outweigh the substantial harm to visual amenity that I have identified that would exist for the period that it would be in place. Consequently, the appeal is dismissed.

V Callister

INSPECTOR