
Appeal Decisions

Site visit made on 25 November 2025

by **K Lancaster BA (hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal A Ref: APP/H5390/W/25/3373752

Telephone Box Outside Hammersmith Palais, 242 Shepherd's Bush Road, Hammersmith And Fulham, London W6 7NL

- 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 Mr Nathan Still on behalf of IN FOCUS NETWORK LIMITED against the decision of the Council of the London Borough of Hammersmith and Fulham.
- The application Ref is 2024/02669/FUL.
- The development proposed is the installation of a new telephone kiosk to replace existing.

Appeal B Ref: APP/H5390/H/25/3373751

Telephone Box Outside Hammersmith Palais, 242 Shepherd's Bush Road, Hammersmith And Fulham, London W6 7NL

- 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 Mr Nathan Still on behalf of IN FOCUS NETWORK LIMITED against the decision of the Council of the London Borough of Hammersmith and Fulham.
- The application Ref is 2024/02670/ADV.
- The advertisement proposed is the display of an internally illuminated digital advertisement panel to the side of the replacement telephone kiosk.

Decision

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. The description of development for both appeals as set out on the application forms is described as 'not applicable'. The Council's description of development as set out in the respective decision notices accurately describe each proposal; these descriptions have also been used by the appellant on the submitted appeal forms. I have therefore considered the appeal on this basis and used the description taken from the Council's decision notice in the banner heading above.
3. The appeals relate to the same site and the same proposed development, namely a multifunctional communications hub which, amongst other things, would have an illuminated digital advertisement display. To avoid unnecessary repetition, both appeals have been dealt with in a single decision letter, but the appeals themselves have been considered based upon their own merits.
4. The appeal site was the subject of a recent appeal decision¹, which was dismissed. The appeal decision is a material consideration in the determination of this appeal.

¹ Appeal Refs: APP/H5390/W/24/3341559 and APP/H5390/W/24/3341560

5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in terms of amenity and public safety. Whilst the reason for refusal for Appeal B refers to policies contained within the Hammersmith and Fulham Local Plan, adopted 2018 (the HFLP), they are material considerations rather than being decisive in the determination of this appeal.
6. The appeal site is located within a conservation area, and listed buildings are located within the site's vicinity. As a result, in reaching my decision on Appeal A, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and, in relation to Appeal B, to section 72(1) only.
7. The Council has not raised any issues of public safety. Based on the evidence before me, I see no reason to reach an alternative view.

Main Issues

8. The main issue for Appeal A is the effect of the proposed development on the character and appearance of the area.
9. For Appeal B, the main issue is the effect of the proposed advertisement on visual amenity.

Reasons

10. The appeal site comprises an area of pavement located to the front of Hammersmith Palais, 242 Shepherd's Bush Road, currently a Pure Gym. It is located within the Hammersmith Broadway Conservation Area (the HBCA). Nearby listed buildings include Hammersmith Fire Station, Hammersmith Police Station and the Carnegie Library, all located on Shepherd's Bush Road. The (Duke of Hammersmith) public house is also identified as an Unlisted Building of Merit.
11. The significance of the HBCA is primarily derived from the mix of civic, commercial, and cultural buildings that reflect the area's development from the late 19th to early 20th centuries. Key features include St Paul's Church and churchyard, notable tombs now listed at Grade II, and prominent historic buildings such as the former Hammersmith Fire Station and Carnegie Library.
12. Hammersmith Fire Station² is a Grade II Listed Building designed by architect W. E. Riley and built in 1913. Its significance is derived from its architectural and historical interest as example of early 20th-century civic architecture, featuring a red brick façade with stone dressings, a tiled mansard roof with dormer windows, and a symmetrical design. Originally serving as a fire station until the early 2000s, it was later converted into a pub and is currently in use as a restaurant.
13. Hammersmith Police Station³, a Grade II Listed Building on Shepherd's Bush Road, was designed by Donald McMorran and completed in 1939. Its significance is derived from its architectural and historical interest as an example of a restrained Neo-Georgian style with classical influences, featuring pink brickwork, Portland stone detailing, and a Cornish granite plinth. The symmetrical façade

² List Entry Number: 1079777

³ List Entry Number: 1362076

includes rusticated quoins, metal casement windows, and the Metropolitan Police coat of arms above the entrance, flanked by traditional blue lamps.

14. The Carnegie Central Library⁴, opened in 1905 and designed by Henry Hare, is a Grade II Listed Building. Its significance is derived from its architectural and historical interest as an example of Edwardian Free Style architecture, blending classical and Baroque elements with rich ornamentation. The red brick façade is accented with stone dressings, a central hall flanked by pavilions, and an attic colonnade featuring statues of Milton and Shakespeare.
15. The proposed site for the communication hub is currently occupied by a telephone kiosk, which is located on a busy footpath outside the entrance to the gym. Shepherd's Bush Road is predominantly commercial in character and features various advertisements, including hanging signs, fascia signs, and A-boards. However, very few of these advertisements feature any illumination.
16. The footpath also contains street furniture such as cycle stands, bus stops, rubbish bins, and traffic signage. Nonetheless, with the exception of the existing telephone kiosk, there are no other communication hubs or other examples of bulky street furniture found on this part of the street or immediate surrounding area.
17. The proposed hub would be smaller in size and bulk than the existing telephone kiosk. As such, the structure itself would not be unduly prominent or conspicuous in this location. However, the proposal includes a provision of a LCD advertisement screen, which would introduce a sizeable element of illumination which is not currently present on this part of Shepherds Bush Road. This would be at odds with other advertisements in the area, which are typically non-illuminated and sympathetic to the environment in which they are located.
18. I have had regard to the previous approval⁵ for an internally illuminated advertisement. Nonetheless, whilst I do not have full details before me, the council state that the method of illumination previously found to have been acceptable in this location would appear more subtle through the use of a LED backlight system behind the posters. Furthermore, it is not disputed that this approval has not been implemented and therefore, I attribute this limited weight.
19. In this particular case, the proposed advertisement screen would utilise an LCD display, capable of displaying several static images over time. This would draw further attention to the freestanding display and would be viewed in stark contrast to the static advertisements and signage serving the shops and business either side of the appeal site and within the wider street which are typical of the character and appearance of the area. This would still occur even if the levels of illumination, and the speed and frequency of image transitions on the display screen were carefully controlled by imposing suitably worded planning conditions.
20. Due to its siting, design, and scale, the appeal scheme would be visible against the backdrop of the Listed Buildings and would therefore fall within their setting, particularly the Library and the former Fire Station. The proposed communication hub, being reduced in scale and bulk compared to the existing kiosk, would help to preserve the setting of these Listed Buildings as well as the character and appearance of the Conservation Area.

⁴ List Entry Number: 1358594

⁵ Application Ref: 2018/01765/ADV

21. Nevertheless, the illuminated advertisement panel, with its changing images, would create a prominent visual impact that competes with the Listed Buildings, thereby harming their setting and diminishing their significance as designated heritage assets. For the same reasons, the appeal scheme would also fail to preserve the character and appearance of this part of the Conservation Area, where illumination is typically limited to windows, streetlights, and modest signage, rather than large items of street furniture such as the proposed advertisement.
22. My attention has been drawn to an appeal decision⁶ nearby which was allowed for the installation of a free-standing street hub unit with a telephone to replace the existing telephone kiosk and the display of an internally illuminated LCD digital advertisement screen to the rear of the proposed street hub unit. However, whilst I do not have full details of this proposal, I was able to observe the location during my site visit and do not consider it to be directly comparable due to the different context in which the proposals would be viewed. Therefore, I attribute this appeal decision limited weight.
23. In respect of Appeal A, whilst the level of harm to the designated heritage assets would be limited, it would nonetheless amount to less than substantial harm. In such circumstances, Paragraph 202 of the National Planning Policy Framework (the Framework) requires that this harm be weighed against the public benefits of the proposal.
24. The public benefits put to me include the provision of Wi-Fi, device charging, messaging facilities, free calls to landlines and charities, wayfinding, and access to a defibrillator. It would operate using renewable energy, produce minimal waste, and incorporate measures to deter crime and anti-social behaviour. Additionally, the development would provide a platform for future technologies such as environmental monitoring, CCTV, and data collection, potentially supporting local businesses and contributing to the area's vitality.
25. Nevertheless, even taking into account the Framework's support for high-quality communications, these benefits are relatively modest. Consequently, they do not outweigh the less than substantial harm identified to the designated heritage assets, as required by the Framework.
26. For the reasons given, I conclude that for Appeal A the proposed development would cause unacceptable harm to the character and appearance of the area and to the nearby designated heritage assets. Therefore, it would conflict with Policy D8 of the London Plan 2021 and Policies DC1, DC8 and DC9 and DC10 of the HFLP which together, amongst other things, require all new development to create a high-quality urban environment that respects and enhances the townscape context and heritage assets and that advertisements should be well-designed, proportionate, and appropriate to their context.
27. With regard to Appeal B, for the reasons given, I find that the advertisement would cause harm to the visual amenity of the area. I have taken into account the policies of the development plan insofar as they are material, and the scheme would not comply with those policies referred to above.

⁶ Appeal Refs: APP/H5390/H/24/3349075 and APP/H5390/W/24/3349072

Conclusion

28. For the above reasons, the proposed development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that Appeal A should be dismissed.
29. For the reasons given above the proposal would be detrimental to the interests of visual amenity. Therefore, I conclude that Appeal B should be dismissed.

K Lancaster

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/H5390/W/25/3373752	IN FOCUS NETWORKS LIMITED
Appeal B	APP/H5390/H/25/3373751	IN FOCUS NETWORKS LIMITED