



Appeal Decision

Site visit made on 12 January 2026

by **Laura Cuthbert BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th January 2026

Appeal Ref: APP/H5390/Z/25/3375215

Shepherd And Flock 84 Goldhawk Road, London W12 8HA

- 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 Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2025/00466/ADV.
 - The advertisement proposed is the replacement of three existing externally illuminated static advertisement banners with the erection of a single slim portrait digital LED display, of 4m (w) x 6m (h) on the western flank wall of 84 Goldhawk Road.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit, a large banner advertisement mounted on a projecting metal frame was in place. As this appears to be displayed without the necessary express consent, I have determined this appeal solely on the basis of the lawful advertisement on the site, and the proposed advertisement as shown on the submitted plans and described in the banner heading above.

Main Issues

3. The main issues are the effect of the proposed advertisement on: -
 - the amenity of the area, having particular regard to the character and appearance of the area and the locally listed 'Building of Merit, and the living conditions of the occupants of the nearby properties, namely 86 Goldhawk Road and those within Sharp House (87-91 Goldhawk Road); and
 - public safety, with particular regard to highway safety.

Reasons

Amenity

Visual Amenity

4. The appeal site comprises the Shepherd and Flock public house, located at 84 Goldhawk Road on a prominent corner position along a busy thoroughfare. The surrounding area is characterised by predominantly Victorian terraced buildings ranging up to four storeys in height, interspersed with some later redevelopment.

5. This part of Goldhawk Road is mainly commercial in character, with retail uses at ground floor level and residential accommodation above. The building's flank elevation faces Titmus Street to the west. Existing lawful advertisements at the site comprise a landscape 48-sheet board on the upper flank wall and two smaller vertical boards beneath, all externally illuminated from below and associated with the public house use. The appellant states that these signs have been in place for over 17 years.
6. While I acknowledge that advertising forms part of the character of this commercial stretch of Goldhawk Road, as the appellant suggests, I observed that signage in the immediate area is generally confined to traditional fascia-level displays associated with individual shop units. Importantly, I did not observe any other high-level, large advertisements in the immediate vicinity.
7. Although the site is neither within a conservation area nor associated with a listed building, the Council advises that the public house is included on its Local Register of Buildings of Merit. While the appellant notes that the Local List does not provide a published description of significance, the Council indicates that the building is valued as an attractive three-storey Victorian public house. The flank elevation above the ground-floor bar frontage is rendered and painted, incorporating a fully detailed pilaster at its southern end. This is consistent with my observations on site.
8. The proposed LED digital advertisement screen, by virtue of its high-level position, prominent siting on a flank wall, and excessive overall size, would form a large and conspicuous feature within the streetscene. It would appear dominant and intrusive along Goldhawk Road, thereby harming the character and appearance of the area. The display would be distinctly noticeable when travelling east along Goldhawk Road and, due to its scale and elevation, would also be visible when approaching from Hammersmith Grove to the south. It would constitute an inappropriately scaled addition to the flank wall of this locally listed Building of Merit, diminishing the architectural value of what is an attractive Victorian public house. The method of illumination would draw further attention to the display, heightening its incongruity, with the harmful visual effect being particularly pronounced during the hours of darkness.
9. I acknowledge that the proposal would not directly affect the historic frontage of the public house. However, contrary to the appellant's assertion that the flank wall possesses only 'neutral heritage value', the significance of this locally listed Building of Merit derives from the architectural integrity of the building as a whole. Given the siting and scale of the proposed LED display, it would be visually read in conjunction with the principal elevation, thereby heightening its incongruous appearance and the visual discord it would introduce alongside the Victorian architectural detailing. Its size, proportions and method of illumination would not be reflective with the form or detailing of the host building, awkwardly conflicting with the subtle features of the façade and the narrow, well-proportioned fascia signage that currently sits appropriately within the Victorian building.
10. Paragraph 216 of the National Planning Policy Framework 2024 (the Framework) requires decision-makers to take into account the effect of a proposal on the significance of a non-designated heritage asset. In view of the above, it is considered that the scale, illumination and siting of the proposed LED display

would materially and harmfully diminish the architectural coherence and overall significance of this locally listed Building of Merit.

11. It is appreciated that the flank wall has had advertisements present on it since at least the 1920's, with the appellant stating that this establishes 'the site's long-standing role as an accepted advertising location'. I also acknowledge that this includes continuous large-format panels for over 17 years under deemed consent.
12. However, rather than maintaining what the appellant describes as an 'established visual typology', the proposal would introduce a markedly larger and more visually intrusive form of advertisement. The appellant contends that the scheme would reduce the overall display area from approximately 48 m² to 24 m², remove multiple frames and uplighters, and replace them with a single slim-framed panel recessed within the wall plane, thereby improving appearance and reducing clutter and glare. Nonetheless, rather than rationalising the existing arrangement through a higher-quality, better-controlled single display, as the appellant suggests, I consider that the proposal would in effect consolidate the existing signage into one large, conspicuous and disproportionately scaled advertisement, resulting in a more harmful visual impact overall.
13. The Council expressed concern that, in the absence of a section drawing, it was unclear whether the proposed LED digital screen would project from the flank wall at a cranked angle to accommodate existing pipework, and how the wall would be treated following installation. The appellant has since clarified that the screen would be mounted flush to the gable wall, entirely within its plane, with a rendered margin retained around the display so that the gable's silhouette remains legible. They also indicate that the existing pipework would be rationalised and that the wall would be cleaned and repainted, thereby improving the presentation of the Building of Merit. However, these matters do not address the fundamental concerns I have identified. Moreover, the cited 'improvements' carry limited weight, as they are not dependent on the appeal proposal and could be undertaken independently of it. Consequently, they do not render the development acceptable.
14. I note the appellant's assertion that 'unlike unlawful high-level hoardings, the proposal offers a rationalised, well-designed format that supports streetscape improvement objectives'. However, the existence of any unlawful high-level hoardings does not justify granting express consent for the scheme before me. The appellant has also, in their planning statement, referred to examples of digital display advertisement at bus stops and at footpath totems on Goldhawk Road. They have also referred me to a couple of higher level advertisements, albeit that whilst these are on Goldhawk Road, these appear to be some distance from the appeal site, on the opposite side of the railway line. Nevertheless, I have only been provided with photographs and location details and do not know the full planning history or lawful status of these installations. Each proposal must be assessed on its own merits, and the presence of other lawful or unlawful displays nearby does not lend support to a form of advertisement that is, in itself, unacceptable.
15. Therefore, for the reasons set out above, the proposal would harm the amenity of the area. It would harm the character and appearance of the area and the significance of the locally listed 'Building of Merit'. It would be contrary to Policies DC1, DC8 and DC9 of the Hammersmith and Fulham Local Plan (2018) (the Local Plan) and Key Principle AH2 of the Planning Guidance Supplementary Planning Document (2018) (the SPD), which would be material in this case.

16. Taken together, these policies and principles seek to ensure a high standard of design for advertisements, requiring that they are appropriately scaled and in keeping with the character of their surroundings. Advertisement design should respond sensitively to its context and generally remain restrained in both quantity and form. In most circumstances, advertisements should be positioned at ground-floor level and, for shopfronts and commercial buildings, should relate to the commercial zone of the street frontage and reflect the architectural design of the façade. More broadly, all development within the borough is expected to contribute to a high-quality urban environment that respects and enhances its townscape context and heritage assets.
17. The policies and principles also seek to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets, including buildings of local interest such as those identified on the Local Register of Buildings of Merit.

Living conditions of the occupants of the nearby properties

18. As noted above, the surrounding area is characterised by commercial uses at ground-floor level with residential accommodation above. The Council's principal concern relates to the potential impact on nearby residential occupiers, specifically those within the upper-floor flats at 86 Goldhawk Road, which face directly towards the proposed LED screen, and those within the north-facing residential units of Sharp House (87–91 Goldhawk Road), situated opposite the appeal site on the southern side of Goldhawk Road. The proposed display would be approximately 10 metres from the residential units at No 86 and around 25 metres from those within Sharp House.
19. I observed that whilst there are no windows on the flank wall of No 86 directly opposite the proposed advertisement, there would be habitable windows to the front and rear of No 86, and namely there would be windows on the angled corner of No 86 which would look towards the proposal. Whilst it is appreciated that these windows would be at a slight angle, they would still be directly impacted. I consider that due to the LED screen being only 10m away, by virtue of the scale, siting and method of illumination, the occupants of the residential flats at No 86 would be harmed by nuisance related to glare and light spill associated with the proposal, to the detriment of their living conditions.
20. While the removal of the existing uncontrolled floodlights may reduce some light spill and sky glow, this does not address the more fundamental issue arising from the nature of the proposed LED display itself. An illuminated digital panel of the scale proposed would introduce a more intense source of luminance, presenting a bright illuminated surface at relatively close quarters to the windows associated with No 86. Its high-level position and direct orientation towards No. 86 Goldhawk Road mean that the display would fall within the occupants' field of view, even at a slightly oblique angle. As a result, the visual prominence and perceptual impact of the screen would be materially greater than that associated with the existing external lighting arrangement.
21. I note that the vertical illuminance at nearby façades would remain within the Institute of Lighting Professionals' (ILP) recommended 3-lux threshold for E4 mixed commercial areas. However, while ILP guidance provides helpful maximum thresholds for assessing light, compliance with a numerical technical standard

does not, in itself, guarantee an absence of harm in every context. The proposed large, illuminated digital display, due to its siting and positioning, would remain harmful, even if the measured luminance levels fall within ILP guidance limits. Consequently, I am not satisfied that adherence to the ILP's guidance would prevent material harm to the living conditions of nearby residents, especially those within No 86.

22. The appellant's reliance on operational controls, such as limiting display hours to 06:00–23:00 and applying automatic dimming, does not fully mitigate the adverse effects. The screen would remain conspicuous during all operational hours, including early mornings and late evenings when ambient light levels would be lower and residential sensitivity is higher.
23. Furthermore, whilst the existing nighttime illumination along Goldhawk Road includes standard street lighting, including two lamp columns directly outside Nos 86–91 on Goldhawk Road and Titmuss Street, together with illuminated shopfronts, passing vehicle headlights, and signage from nearby commercial premises, the immediate context of Goldhawk Road does not contain comparable high-level digital displays. Therefore, the appellant's assertion that the proposed arrangements are 'consistent with similar urban streets' carries limited weight in the circumstances of the appeal site.
24. In combination, these factors mean that the proposed LED screen would materially harm the living conditions of the occupants of the residential units within No 86, and the suggested controls would not sufficiently limit its harmful effects.
25. In respect of the residential units within Sharp House, these would be set at a greater distance from the proposal and positioned at a more oblique angle than those at No 86. As a result of this combination of factors, I am satisfied that, on balance, the living conditions of the occupants of the north-facing units within Sharp House would not be materially harmed.
26. Therefore, in view of the above, whilst I am satisfied that the living conditions of the occupants of the residential units within Sharp House would not be materially harmed, the living conditions of the occupants of the residential units within No 86 would be harmed, by virtue of the light spill and glare from the proposed LED display screen. The proposal would therefore be in conflict with Policies CC12 and CC13 of the Local Plan. Taken together, these policies seek to ensure that development does not result in undue detriment to the general amenities enjoyed by existing surrounding occupiers. Where appropriate, the Council will require mitigation measures to prevent nuisance, such as that arising from light, where it would otherwise be likely to occur. In particular, the policies require that any external lighting, including illuminated advertisements, demonstrates that it is appropriate for its intended purpose, uses the minimum level of illumination necessary, is energy-efficient, and provides adequate protection from glare and light spill, especially to nearby sensitive receptors such as residential properties.
27. The Council has also cited conflict with Policy H011 of the Local Plan. However, this policy relates to proposals for new housing and is not relevant to the proposal before me. Accordingly, any alleged conflict with Policy H011 would not be determinative in this case.

Public Safety

28. As previously noted, the proposed advertisement would be positioned on the flank wall at the junction of Goldhawk Road and Titmus Street. Goldhawk Road functions as a London Distributor Road (A-class), accommodating a steady flow of traffic. A signalised pedestrian crossing lies at the junction, with a dedicated cycle lane and footpath running alongside. At the time of my site visit, which I acknowledge represents only a snapshot in time, I observed that Goldhawk Road operated as a relatively busy route. The cycle lane was well used by cyclists, and the pedestrian crossing experienced frequent pedestrian movements.
29. In this context, the flank wall occupies a highly prominent position and is clearly visible to all highway users, including drivers and cyclists travelling east along Goldhawk Road. It also sits directly within the sight line of pedestrians crossing northwards over Goldhawk Road. Given this level of visibility, any advertisement in this location has the potential to effect public safety, in particular regard to highway safety.
30. I acknowledge the appellant's evidence that the digital display would show static images only, with each frame held for at least 10 seconds, and that it would operate between 06:00 and 23:00 with automatic luminance adjustment (maximum 600 cd/m² during the day and 300 cd/m² at night). I also note the appellant's reference to Transport for London (TfL) and ILP guidance. However, compliance with technical parameters and guidance, as well as the lack of objection from TfL, while material, is not in itself determinative. The assessment of highway safety must also consider the specific characteristics of the display, including its high-level siting, large scale, and prominent positioning in relation to highway users along Goldhawk Road.
31. The appellant states that the LED screen would be positioned 5 metres above pavement level and outside the driver's central field of view of any drivers waiting at the traffic lights. However, I am not persuaded that this eliminates the potential for distraction. The display would remain clearly visible to approaching eastbound drivers, particularly in lower ambient-light conditions, even if they are travelling at low speeds (20mph). Furthermore, while the nearest signalised junction is approximately 23.5 metres away, the screen would still be perceptible from the stop line and within the wider field of view of drivers approaching the junction.
32. Its high-level position and large illuminated display have the potential to draw the attention of drivers and cyclists away from the highway at a point where road users should be focused on changing traffic conditions, nearby cyclists, and pedestrian movements. As a result, the proposal has the capacity to distract drivers, cyclists and pedestrians, thereby increasing the risk of collisions. This would be detrimental to the safety of all road users and to the safe operation of the highway.
33. The appellant states that illuminated advertisements have been displayed at the site for over 17 years without any recorded highway-safety incidents. The Council has not disputed this, nor have they provided any evidence to demonstrate that the previous displays gave rise to any highway safety concerns. However, the absence of recorded incidents does not, in itself, confirm that the current proposal would have no adverse effect, and it remains necessary to consider the specific characteristics of the advertisement now before me.

34. The appellant advises that ‘the proposed digital display will continue to feature a looped advertisement for the Shepherd and Flock Public House alongside other commercial content’. Therefore, this is a notable difference to the externally illuminated sign on the site at present. Whilst the images would be static, the nature and frequency of the changing displays would be such that the sign would be a distracting curiosity to see what the next emerging image would be.
35. Consequently, the fact that the existing display, lit by four static floodlights beneath them, have not resulted in recorded accidents does not demonstrate that the proposed LED screen, which would be substantially larger, brighter and more visually prominent, would have an equivalent impact. Its different scale, luminance and digital format would have the ability to increase the potential for distraction in a manner not comparable to the previous or existing advertisements.
36. In view of the above, these factors mean that in these circumstances, I cannot be satisfied that the proposal would avoid an unacceptable impact on highway safety. Thus, the proposed advertisement would harm public safety and would be contrary to Policies DC9 and T6 of the Local Plan. Taken together, these policies seek to ensure that development affecting the borough’s road network is assessed in accordance with the Council’s designated hierarchy of roads. For London Distributor Roads, development will not be permitted where it would prejudice their effectiveness in providing links to the strategic route network, facilitating access to and between town centres, or distributing traffic to and around, though not within, local areas. The policies also require a high standard of advertisement design, ensuring that advertisements are appropriately scaled, relate sympathetically to their context, and do not have an unacceptable impact on road safety. Excessive or obtrusive advertising, including illuminated signs that adversely affect public safety, will be resisted.
37. The Council’s decision notice also cites conflict with Policy T1 of the Local Plan. However, the officer’s report does not refer to this policy, and I have not been provided with the policy wording or any evidence explaining its relevance to the proposal. In the absence of such information, any alleged conflict with Policy T1 is not determinative in this case.

Conclusion

38. For the reasons given above, and having had regard to all other matters raised, the appeal is dismissed.

Laura Cuthbert

INSPECTOR