

Appeal Decision

Site visit made on 9 August 2016

by Jason Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th August 2016

Appeal Ref: APP/Z5060/Z/16/3150806

Access Self Storage, Kingsbridge Road, Barking, Barking and Dagenham IG11 0BD

- 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 Guy Goodyear, Outdoor Plus Limited against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 16/00202/ADV, dated 10 February 2016, was refused by notice dated 19 April 2016.
 - The advertisement proposed is replace existing single sided landscape advertising panel with double sided portrait totem LED sign.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the advertisement on the visual amenity of the area.
 - The effect of the advertisement on public safety.

Reasons

Visual Amenity

3. The proposed advertisement would be located adjacent to an industrial warehouse unit which is currently occupied by a storage facility. There are several commercial units in the surrounding area, as well as residential properties. The setting of the area is dominated by the busy thoroughfare of the A13 Alfred Way. To the west, beyond the location of the proposed advertisement, is an area of open, vacant land which is covered in vegetation.
 4. I note the proposal would replace an existing sign, however, the proposed sign would have a display in both directions, in contrast to the existing single sided display. Moreover, the proposed advertisement would have a distinct vertical emphasis and would measure around 7.5m in height with an overall height of around 10.5m above ground level. This would, in my view, result in an advertisement of considerable bulk and scale. Consequently, it would appear as a dominant and incongruous feature, in stark contrast to the hoardings in the area which are small and have a predominant horizontal emphasis.
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5. Its dominance would be magnified by its presence on the cusp of the industrial area as it transitions into a relatively open area of vacant land. Moreover, given its scale, the sign would fail to assimilate into the surrounding landscape. As a result, the proposed advertisement would be a prominent feature both to traffic on the A13 and from various public vantage points within the area.
6. I conclude, therefore, that the proposed advertisement would have a harmful effect on the visual amenity of the area. The proposal would, consequently, conflict with Policy BP7 of the Barking and Dagenham Development Plan Policies DPD 2011¹ (DPP) which states that outdoor advertisements will not be permitted where they detract from the character and amenity of the area.

Public Safety

7. The proposed advertisement would be erected as a replacement for an existing advertisement adjacent to the A13. The existing sign measures 6.5m in width and 3.5m in height. It is single sided, with the display facing west, in view of eastbound traffic on the opposite side of the carriageway. The proposed sign would measure 5m in width with a height of 7.5m and with the base of the advertisement around 3m from the ground. The sign would have a display in both directions, with the east facing display visible to west bound traffic on the near side of the carriageway. The signs would be LED display with static illumination.
8. The appellant contends that the signs would not represent a safety hazard as long as drivers exercise reasonable care and attention. The Council has raised no objections to the west facing sign on public safety grounds subject to conditions to control the content, display and illumination. On the evidence before me, I have no reason to come to an alternative view.
9. However, the east facing display would be sited adjacent to the end of the slip road where traffic from River Road merges with traffic travelling westbound on the A13. At this point, drivers are required to change lanes in order to merge with the A13 or indeed to allow vehicles to enter the carriageway. Vehicles would likely need to adjust their speed around this point accordingly.
10. The Planning Practice Guidance states that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety².
11. The submissions of the Council indicate that, in the three years prior to October 2015, there were four vehicular collisions involving westbound traffic at the point where the slip road meets the A13. It is indicated that two of those collisions involved vehicles changing lanes and two involved rear end shunts. The failure of those involved to look properly was identified as a contributory factor in all those instances. In all, the Council's evidence indicates that the collision rate for the A13 in this area is around double the average collision rate in the Borough.
12. On this stretch of the A13, large advertisements of the size proposed, and featuring LED displays, are not a common feature facing oncoming traffic.

¹ Barking and Dagenham Local Development Framework: Planning for the future of Barking and Dagenham Borough Wide Development Policies Development Plan Document 2011

² Paragraph: 067 Reference ID: 18b-067-20140306

Whilst there are large hoardings on the westbound carriageway, these are generally landscape orientated, static displays. In contrast, the proposal would introduce a particularly large and prominent feature. As a result, it would in my view, particularly when illuminated, distract drivers at a point when vehicles would be merging onto the A13 and a greater degree of care would be required from drivers. Accordingly, I consider that the east facing sign would be to the detriment of highway safety.

13. I conclude, therefore, that the proposed advertisement would have a harmful effect on public safety. Accordingly, it would conflict with Policy BP7 of the DPP which state that advertisements will not be allowed where they compromise public safety.

Conclusions

14. Although I have concluded that the proposed advertisement would not be harmful to public safety in respect of its west facing display, I have found that the east facing display would have a harmful effect on public safety. Moreover, I conclude that the advertisement as a whole would be harmful to the visual amenity of the area. Therefore, a split decision, as suggested by the appellant, would not be appropriate in this instance.
15. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR