
Appeal Decision

Site visit made on 3 June 2019

by Rebecca McAndrew BA Hons, PG Dip Urban Design, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2019

Appeal Ref: APP/F5540/Z/19/3225768
92 – 94 Windmill Road, Brentford TW8 9NA

- 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 Ed Davies of Davies Street Windmill Ltd against the decision of the London Borough of Hounslow.
 - The application Ref 01217/92-94/AD5, dated 18 October 2018, was refused by notice dated 1 February 2019.
 - The advertisements proposed are 2 no. LED screens.
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Decision

1. The appeal is allowed and express consent is granted for the display of the proposed 2 no. LED screens as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 1. The displays on the two internally illuminated panels hereby permitted shall contain no moving or apparently moving images.
 2. The maximum luminance of the internal illumination shall not exceed 600cd/m².
 3. No individual advertisements shall be displayed for a duration of less than 30 seconds.
 4. Controls shall be in place to ensure smooth, uninterrupted transition of images displayed on the panels.

Procedural Matters

2. The building on which the advertisements would be located was allowed at appeal in 2013. At my site visit, I noted that the building had not yet been constructed. Therefore, I have assessed the proposal as shown on the plans determined by the Council.
3. The Council's Decision Notice and Officer Report both refer to the London Borough of Hounslow Local Plan (2015) (LP) Policy SC5 within the reason for refusal. However, the Council's Officer Report also refers to Policy CC5, which appears to be the correct policy. I have therefore determined the appeal on the basis of LP Policy CC5. Whilst I have taken this policy into account as part of the determination of the main issue, it is of note that the powers under the Regulations to control advertisements may be exercised only in the interests of

amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policy has not, therefore, by itself, been determinative.

Main Issue

4. The main issue is the effect of the advertisements upon the amenity of the area.

Reasons

5. The building would include a curved tower design feature, on which the proposed adverts would be installed. The proposed adverts would be flush with timber cladding on the proposed tower and would therefore sit comfortably within the fabric of the building. Whilst the adverts would be significant features, given the overall scale of this tower and the fact that the advertisements would be at a high level, they would not be overly dominant in the context of the proposed building. Consequently, in my view, the proposed advertisements would not be harmful to the appearance of the host building.
6. Whilst the adverts would be illuminated, given that they would sit on the upper part of the building and would face the adjacent elevated M4 motorway, they would not be easily visible from ground level or within the wider street-scene. Whilst the adverts would be visible from the adjacent M4, high level illuminated signs are characteristic of this part of the highway and therefore they would not look out of place in this context. In addition, the level of illuminance could be controlled by condition. Consequently, the proposed advertisements would not harm the appearance of the surrounding area.
7. I note that, whilst the level of illuminance of the proposed advertisements would be the same as those allowed in the 2013 appeal, they would be larger than that scheme. However, they would be smaller than the advertisements which were more recently refused consent. I do not consider the size of the proposed advertisements would be so great that the visual impact of them would be significantly different to the previously allowed scheme.
8. In conclusion, and for the reasons outlined above, the proposed advertisements would not cause harm to the amenity of the area. The proposal would therefore accord with LP Policy CC5 which seeks to secure high quality advertisements which respect their context.

Conditions

9. Highways England has suggested conditions in order to secure the safe and efficient operation of the adjacent M4 motorway, which I consider below.
10. In the interests of highway safety, I impose a condition to ensure that whilst movement between displays is acceptable, the individual displays must otherwise be static. In the interest of highway safety, it is also necessary to impose conditions relating the way images change and the frequency of the image change
11. Whilst Highways England request a condition is attached to any consent granted to limit the illumination of the sign to 300 cd/m², the appellant requests an illumination level of 600 cd/m². Given that the previously approved advertisements at the site were permitted at a level of 600 cd/m²

and in the absence of any evidence to demonstrate why this would not now be appropriate, I consider that 600 cd/m² is acceptable. In the interests of highway safety and visual amenity, it is necessary to therefore impose a condition limiting the luminance to 600cdm².

12. I have not attached a condition relating to the monitoring of the luminance levels of the proposed advertisements as, given that the appellant already has a duty to comply with the requirements of this consent, this is not necessary in order to make the proposal acceptable.

Conclusion

13. For the reasons outlined above, I conclude that the appeal should be allowed.

Rebecca McAndrew

INSPECTOR