
Appeal Decision

Site visit made on 24 September 2019 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2019

Appeal Ref: APP/F5540/Z/19/3236770
80 Windmill Road, Brentford, TW8 0QH

- 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 Brent Morgan (The Leprosy Mission International) against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01217/80-82/AD4, dated 10 June 2019, was refused by notice dated 5 August 2019.
 - The advertisement proposed is described as "1 x 96 sheet LED panel supported by an architectural 'tree of life' structure".
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In accordance with the National Planning Policy Framework (the Framework) and the Regulations¹, my consideration of this appeal is confined to the issues of amenity and public safety, taking into account the provisions of the development plan, so far as they are material.

Main Issue

4. The Council do not refer to public safety or aural amenity as a reason for refusing the proposed advertisement. The main issue therefore is the effect of the proposal on visual amenity.

Reasons for the Recommendation

5. The appeal site is located on the west of Windmill Road at the junction with Great West Road. The site consists of a three storey office building, currently occupied by the Leprosy Mission International, and associated car park.
6. The proposed advertisement would be in the form of a LED display attached to a monopole. It would be located within the car park at the appeal site. The

¹ the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

monopole would be 13.00 metres in height and 1 metre in diameter. The LED screen would be 12.59 metres wide by 3.45 metres high and 0.6 metres deep. The bottom of the screen would sit 13 metres above ground level, it would be internally illuminated and display static advertisements. These dimensions have been taken from the drawings provided by the appellant. Additional detailing would be included above and below the display screen in the form of two sculptural representations of a tree.

7. The proposed advertisement would sit close to the office building occupied by the Leprosy Mission International with the display screen partially overhanging it. The screen would be orientated so that it could be seen from the elevated M4 motorway for drivers heading east (towards London). While there are other adverts near to the appeal site that can be seen from the M4 motorway, these are situated immediately adjacent the carriageway and are attached to tall structures that are clearly visible from it. These provide the adverts with a context and sense of scale that would be absent in the proposed advertisement, given that only the top of the office building on the appeal site is visible from the carriageway for drivers heading eastwards, and the fact that the proposal is for a stand-alone advertisement. The proposal is also of a different design and scale to these other adverts. Consequently, when seen from the motorway the proposed advertisement would appear as an incongruous and overly large feature in this location.
8. Although the elevated section of the M4 is the dominant feature to the north of the appeal site, the immediate surroundings consist of a mix of two, three and four storey buildings. While this has resulted in a varied street scape, there is a sense of development being restrained in terms of building heights and scale. Within this context, and with the advertisement exceeding the height of the office building on the appeal site, the proposal would, due to its prominent location, height, appearance, scale and size fail to relate well to its surroundings. It would appear as an overly dominant and incongruous addition to the area. This sense of incongruity would be exacerbated by the proposed advertisement's illumination, particularly after dark.
9. Further, there are also a number of traffic lights at the nearby junction of Great Western Road and Windmill Road, a number of tall street lighting columns in the area and a gantry above the M4 motorway. The proposal would be seen within the wider context of the streetscene, including these elements. Cumulatively, this would result in a cluttered appearance, which would cause harm to the appeal site and the character and appearance of the area.
10. I conclude that the proposed advertisement would be poorly sited and designed and would harm the visual amenities of the area. I have taken into account Policy CC5 of the London Borough of Hounslow Local Plan 2015 -2030 (HLP) and Paragraph 132 of the Framework, which generally seek to protect amenity and so are material in this case. Given that I have concluded that the proposal causes harm to amenity, the proposed advertisement conflicts with these policies. The Council also refer to Policy CC1 of the HLP. However, this refers to development so is not relevant to the consideration of the proposed advertisement.

Other Matters

11. The appellant indicates that the income from the proposed advertisement would result in an estimated £5 million over a period of 20 years, which would

be used to help treat sufferers of leprosy. It is argued that this is a benefit that should be taken into account in my assessment of this appeal. However, in accordance with the Framework and the Regulations, my consideration of this appeal is confined solely to the issues of amenity and public safety. Consequently, I am unable to take any wider considerations into account.

12. It is also argued by the appellant that large format digital advertisements are now a common sight on urban roads in major cities and are not unusual. I have assessed the appeal proposal on its own merits and consider that it would be harmful to amenity. The presence of similar signs elsewhere, including along the M4 does not provide justification for harmful advertisements in this case. Moreover, in the absence of details relating to the individual circumstances of advertisements that the appellant has referred me to, I am unable to assess whether they are directly comparable to the proposal before me.
13. The appellant also raises concerns with regards to the Council's handling of this particular application; reference is made to 'unwritten policy' and the prevention of any discourse. This is not a matter for me to determine. The Council will be likely to have its own complaints procedure should the appellant not be satisfied with how their application was assessed.

Conclusion and Recommendation

14. For the reasons given above, I conclude that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R C Kirby

INSPECTOR