



Appeal Decision

Site visit made on 10 December 2019

by M Seaton DipTP MRTPI

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

Decision date: 23 December 2019

Appeal Ref: APP/F5540/Z/19/3236674

948 Great West Road, Brentford, TW8 9ES

- 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 Ms Sarah Day (on behalf of Day Aggregates) against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00505/948/AD5, dated 11 June 2019, was refused by notice dated 2 August 2019.
 - The advertisement proposed is the installation of a display comprising one backlight x 48 sheet advertising panel and one digital x 48 sheet advertising panel.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has described the proposal as comprising two free-standing monopoles whereas it is evident from the appellant's description and the submitted plans that it is a single monopole that is proposed, with a pair of advertising panels attached.

Main Issue

3. The National Planning Policy Framework (the Framework) sets out at paragraph 132 that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
4. The Council has indicated that as a consequence of the conclusions of an Inspector regarding amenity from an appeal decision for a free-standing monopole incorporating 2 x 48 sheet LED units on the same site from January 2019 (*Ref: APP/F5540/Z/18/3199308*), no objections are raised on the grounds of amenity. Based on my observations of the existing appeal site and the character and appearance of the wider environs, this is a conclusion with which I would agree. However, the Council has raised concerns in respect of the impact of the advertisement on public safety related to highway users.
5. As a consequence, the main issue is the effect of the advertisement on public safety.

Reasons

6. The proposed advertisement would be situated on land adjacent to an existing warehouse occupied by BSS (a distributor of pipeline and heating solutions) and the Great West Road, which is part of the Strategic Road Network. The

proposal would comprise a backlight 48 sheet display facing west towards eastbound traffic (denoted as Panel A on the submitted plans), and a digital 48 sheet display (Panel B) facing east towards westbound traffic on the opposite side of the Great West Road. The maximum illumination of both panels is indicated to be no more than 300 cd/m², with neither advertisement to be illuminated between 00:00 – 06:00. An existing advertisement related to the adjoining business in the immediate vicinity of the proposed location would be relocated to a position approximately 45-50 metres further to the west.

7. The submissions from both main parties are clear that, in accordance with the conclusions of the Inspector for the January 2019 appeal and Transport for London (TfL) as a consultee, no objection is raised on public safety grounds to the east facing Panel B. On the basis of the submitted evidence and my own observations, I see no reason to disagree with these conclusions.
8. The Council's objection to Panel A has been informed by an objection from TfL, albeit that I note that the TfL response has in places become somewhat confused in misidentifying the compass points of the respective advertisements. Nevertheless, the Council has highlighted particular concern regarding the potential for distraction for motorists due to the proximity of Panel A to an operational speed camera, in an area where speeding has previously been a problem. Accident records for the period of 18 months prior to 28 February 2017 as submitted by TfL on a previous application have also been cited, and which included an accident directly in front of the appeal site. The Council has identified that failure to look properly, speeding, failure to signal/misleading signal, sudden braking, following too close and careless/reckless driving have all been highlighted as contributing factors for the 26 accidents in the vicinity.
9. In reaching my conclusions, I have had regard to those of the Inspector in the January 2019 appeal, whose concerns related to the size, illumination and orientation of the advertisement towards eastbound traffic. In this respect, whilst the replacement of a digital panel with a static image panel would undoubtedly remove any concerns regarding the effect of the movement, transition and timing of images, the size, level of illumination and orientation of Panel A would not seem to have altered in any other respect from the scheme the subject of the dismissed January 2019 appeal.
10. I agree with the Council that the road environment along this section of the Great West Road is comparatively complex, with many existing distractions and factors for motorists to take into account. In this regard I noted the proximity of the advertisement to the speed cameras as well as to the junction with Transport Avenue, where I observed significant numbers of Heavy Goods Vehicles leaving and accessing the Great West Road, and I consider that the proposal would provide an additional and unacceptable level of distraction for road users. Whilst the accident data is not a decisive factor in my decision-making, the reasons for previous accidents do provide some additional weight in support of my conclusions regarding the complexity of the road environment on the Great West Road, and the increased hazard to road users the advertisement would provide.
11. The appellant has drawn my attention to the historic display of advertisements in the immediate vicinity of the proposals which were removed in 2012 or 2013, which I note was a matter also addressed by the Inspector for the

January 2019 appeal. However, although their presence and that of other advertisements in the wider area have been referred to, and where present have been observed in situ, I do not have any details before me of the previous advertisements in this location or the detailed circumstances of other examples in the area. This would appear to be in contrast from the January 2019 appeal decision, where the Inspector in that instance did have a certain level of information provided. Whilst I have noted the appellant's contention that the removal of the previous advertisements on the site had a neutral effect on accident records, in the absence of appropriate context the references to the previous scheme have not had any significant bearing on my decision-making.

12. Whilst I accept the appellant's observation that large-scale digital advertisements are no longer an unusual feature on urban road within major cities, I disagree that they are not as a whole a distraction for drivers, particularly as a primary function of an advertisement would be to *grab the attention* of its audience, who in this instance would in the main be motorists. For the reasons I have set out, I conclude that the proposed Panel A advertisement would result in an adverse and unacceptable impact on public safety.
13. The Council's approach to advertisements is set out in Policy CC5 of the London Borough of Hounslow Local Plan 2015-2030 (the Local Plan). This policy, amongst other things, indicates that all advertisements must demonstrate that they would not adversely impact on pedestrian and vehicle movement and safety. Whilst not decisive, I have had regard to this policy in my decision-making, and whilst I have concluded that the proposed advertisement would not result in amenity concerns, I have found conflict on the basis of the impact on public safety. The proposal would also fail to accord with the Framework, which seeks to prevent the negative impact of poorly sited advertisements.

Conclusion

14. For the reasons given above, the appeal is dismissed.

M Seaton

INSPECTOR