



Appeal Decision

Site visit made on 15 September 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/Q5300/Z/20/3251461

Wren Kitchens (former Next Home site), Unit 1, Ravenside Retail Park, Angel Road, Edmonton, N18 3HA

- 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 L Knaggs against the decision of the Council of the London Borough of Enfield.
 - The application Ref 19/04166/ADV, dated 6 December 2019, was refused by notice dated 2 March 2020.
 - The advertisement proposed was originally described as "surface mount LED digital display to show special offers etc".
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Decision

1. The appeal is allowed and express consent is granted for installation of internally illuminated digital display to north (side) elevation 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 intensity of the luminance of the advertisement hereby granted consent shall be no greater than 600 candela per square metre during daylight hours and shall be no greater than 300 candela per square metre during evening/night time hours. The advertisement shall be equipped with a dimmer control mechanism and a photo cell which shall constantly monitor ambient light conditions and adjust brightness accordingly.
 - 2) The minimum display time for each advertisement shall be 10 seconds and advertisements shall not include features or equipment which would allow interactive messages or advertisements to be displayed.
 - 3) Advertisements shall be static with no special effects or any flashing, moving or apparently moving images of any kind during the time that any advertisement is displayed. The interval between successive displays shall be instantaneous (0.1 seconds or less).

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. The description of the proposal as set out within the application form is included within the banner heading above. However, in the above decision, I have used the description of the proposal included within the decision notice as
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it is more precise and contains more information about the location of the proposed display.

Main Issue

4. The main issue is the effect of the proposed advertisement on public safety.

Reasons for the Recommendation

5. The appeal site comprises a large retail unit on the northern side of the Ravenside Retail Park. The appeal property is sited adjacent to the North Circular Road where there is a constant flow of fast-moving vehicular traffic, especially during the day. The northern elevation of the appeal property is highly visible for motorists travelling westbound down the North Circular Road from the northeast.
6. As seen from the perspective of passing motorists, the proposed advertisement would be similar in its size and proportions to other advertisements within the area. Furthermore, like the proposal, some of these nearby advertisements feature illuminated LED screen displays and are comparable to typical advertisement hoardings. However, as these examples display static images, they are not directly comparable to nor set any precedent for the proposal, which, it is intended, would display moving imagery to passing motorists driving at high speeds down a particularly busy highway.
7. The appellant cites various studies published outside of the United Kingdom which claim that there is no correlation between digital advertising with moving content and road accidents. The appellant also states that they have successfully installed signs displaying moving content elsewhere in the country, and that these have not resulted in any complaints or accidents. However, they provide no detail on any of these previous installations so I cannot give them any consideration.
8. Having regard to the size of the proposed display screen, the proximity of the appeal site to such a busy road, and guidance provided in Transport for London's Guidance for Digital Roadside Advertising and Proposed Best Practice (2013), which states that moving images are likely to add to the level of distraction, I find it likely that the proposal would distract the attention of motorists if it was to display moving imagery.
9. However, I note that the appellant states in their grounds of appeal that they would be willing to accept certain restrictions in order to make the proposal acceptable, such as limiting the brightness, the duration of adverts displayed and preventing moving images being displayed. Subject to these conditions, I consider the main concerns raised by the Council would be sufficiently addressed and the proposal would therefore be acceptable in terms of its effect on public safety.
10. For the above reasons, I conclude that the proposed advertisement would be unlikely to cause harm to public safety. Insofar as they relate to public safety, I have taken into account Policy DMD37 of the Development Management Document (2014), Core Policy 30 of the Enfield Plan Core Strategy 2010-2025 (2010) and Policy 7.4 of the London Plan (2016), which state, amongst other things, that developments and interventions in the public realm must be of high quality and have regard to the form and function of their surroundings. I have also taken Policy DMD41 of the Development Management Document

(2014) into account, which states that advertisements must be of an appropriate size and type in relation to the premises and street scene.

11. Given that I have concluded that the proposal would be unlikely to cause harm to public safety, the proposal would be compliant with these policies.

Conditions

12. I have imposed the five standard conditions as set out in the Regulations.
13. In the interests of public safety and to ensure that the proposal would not unreasonably distract the attention of road users, I have also imposed three additional conditions. First, I have imposed a condition restricting the brightness of the LED screen during daytime and night-time hours so that it would not be overtly eye-catching. Second, I have attached another condition which states that a displayed image shall remain on-screen for at least 10 seconds before changing to another. Finally, I have imposed a condition which requires that all displayed images shall be static, and the transition between images must be instantaneous.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

C Brennan

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 allowed.

Andrew Owen

INSPECTOR