



Appeal Decision

Site visit made on 12 October 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/N5090/Z/20/3254299

Highway verge, North Circular Road, North Finchley, London N12 0AG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Martin Stephens on behalf of JCDecaux against the decision of the Council of London Borough of Barnet.
 - The application Ref 20/0864/ADV, dated 17 February 2020, was refused by notice dated 27 May 2020.
 - The advertisement proposed is the erection and display of a single sided illuminated advertisement display. The advertisement is a standard 48 sheet size which provides a display area of 6.2m in width and 3.1 in height and will feature the automatic change of images. The advertising structure will be a single leg cantilevered layout designed by Jean Michel Wilmotte.
-

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.

Main Issue

3. The main issue is the effect the proposed advertisement would have on highway safety in the area.

Reasons for the Recommendation

4. The display would be located on the grass verge which is part of an expansive and extensive green corridor known as the Glebelands Local Nature Reserve on the A406 North Circular Road. As stated in the appellant's application form, the advertisement display would be visible to eastbound drivers on the North Circular Road.
5. The advertisement would also be adjacent to a slip road connected from the A1000 High Road. Vehicles exiting the slip road would be aiming to merge onto the A406 North Circular Road. Multiple movements are required such as vehicles on the A406 changing lanes and changing travelling speed in order to give way to vehicles joining from the slip road, whilst trying to maintain a safe distance from other vehicles. This creates quite a complex traffic situation

- where drivers undoubtedly need to exercise caution and have heightened awareness.
6. There is a relatively large volume of vehicular traffic on the A406 as well as the slip road, as observed during my visit to the site and the proposed advertisement is likely to distract both drivers trying to join the A406 as well as drivers on it, on a eastward approach.
 7. The appellant contends that drivers on the A406 will see the advertisement at 150 metres and be conscious of merging traffic to their left for at least 100 metres before they reach the application site, and that this provides sufficient time for a driver to react safely and adjust their driving and change lane to accommodate other road users.
 8. However, whilst the display may be seen over a longer distance, the detailed content of advertisements would not. Given the location of the advertisement facing oncoming traffic at a sensitive point in the highway, I find that there is a reasonably likelihood that drivers would be distracted in trying to figure out the advertising content as they approach, particularly if the content changes as they approach the junction. Moreover, the illumination is likely to draw more focus. Even a fleeting and inadvertent glance across at the display to register the advertisement detail could have negative consequences in terms of the impaired ability to notice traffic pulling out of the slip road or slowing down and shunting lanes to give way to vehicles joining the highway.
 9. Such momentary distractions could have negative consequences for braking and stopping distances whilst drivers were distracted. Even though traffic speeds are limited on the highway, vehicles will still travel at speeds that could cause damage to vehicles, injury or worse to drivers or passengers. I recognise that conditions could be imposed to prevent moving images, control levels of illumination and to ensure an instant change in images. However, those matters would not overcome the concerns over the location of the proposed advertisement at a sensitive location on the highway. Thus, the proposed illuminated 48-sheet digital advertisement display is likely to have a negative effect on public and highway safety along this section of A406 North Circular Road.
 10. I conclude, therefore, that the advertisement would have a harmful effect on highway safety. Whilst not decisive, the proposal would not meet with the objectives of the National Planning Policy Framework nor Policy DM17 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) which amongst other things seeks to ensure that the safety of all road users is taken into account when considering development proposals, and proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users will be refused.

Conclusion and Recommendation

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

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR