
Appeal Decision

Site visit made on 22 June 2021 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2021

Appeal Ref: APP/N5090/Z/21/3273340

Henlys Triangle, Land at North Circular Road, Jct Regents Park Rd and Finchley Rd, Barnet, London N3 3JN

- 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 Richard Page, Insite Poster Properties Ltd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/4540/ADV, dated 8 July 2019, was refused by notice dated 26 February 2021.
 - The advertisement proposed is erection of two back to back digital advertising displays.
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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 in the appeal is the effect of the proposed advertisement on public safety.

Reasons

4. The appeal site is a raised section of concrete adjacent to a large, complex junction. During the site visit there was a constant flow of traffic at various speeds in all directions. The junction has multiple lanes and traffic lights. The appeal site is primarily visible to motorists travelling eastbound and westbound on the A406.
5. The proposal seeks to implement two, large, back to back, digital advertising displays, raised from the ground. The section of concrete upon which the proposal would sit contains multiple sets of traffic lights and road signs, serving users of the A406. The size and siting of the proposal would mean the advertisement would sit in proximity with the traffic lights and road signs that are seen when travelling in an eastbound direction on this road. This could impact upon their effectiveness by detracting attention away from them. Even though it would not directly block views of the traffic lights or road signs, and the brightness could be controlled, the presence of the advertisement on this section of concrete, as well as how close it would be to both the traffic lights and road sign, would reduce their prominence. Raising the proposal further would not reduce these effects to an acceptable level.

6. The junction upon which the appeal proposal would be situated is complex, with multiple lanes and traffic lights, requiring concentration and lane discipline. There are also numerous pedestrian crossings and a large volume of traffic, requiring increased concentration. Lane discipline is required from well before the junction and concentration is required throughout the navigation of the junction, so glance or glimpse views of the advertisement in the proposed location would not be suitable. The proposed size and location of the advertisement means it would be likely to attract attention at a key moment for motorists, when they would otherwise be concentrating on changing traffic lights, lane selection, other vehicles and pedestrians. It was noted during the site visit that, whilst there are road markings and signs for lane selection, on multiple occasions drivers switched lanes at the last minute, confirming the need for concentration throughout the junction.
7. The appellant points to the below average accident record for this junction compared to similar junctions nationally. This data is based on existing conditions at the junction, and so whilst there may not be a safety problem currently, the proposal would substantially alter the conditions. The appellant also points to research around driver distraction and the impact of existing digital displays. This research is based upon other digital displays that would have been assessed individually on safety grounds and thus are unlikely to be sited in a hazardous location. The proposal is considered to be in a location that would be detrimental to public safety and therefore this research is given limited weight in this instance.
8. The Transport for London report for this proposal raised concerns over a number of additional issues, including 'amber gamblers', the brightness of the proposal, distraction to pedestrians, maintenance of the lamp column and the effects of the structure on the occupants of an errant vehicle. It is not considered that these matters would constitute a clear risk to public safety. However, this does not diminish the effects the proposal would have on the traffic lights and road sign's overall prominence, and the concentration required for this complex junction.
9. Regard has been given to Policy DM17 of the Barnet Local Plan Development Management Policies Development Plan Document (2012), which aims to ensure the safety of road users. Regard has also been given to the Barnet Design Guidance Note 1 Advertising and Signs (1993) which suggests that advertisements should not conflict with traffic signs or signals or endanger road users. For the above reasons the proposal would harm public safety and would therefore conflict with this Policy and guidance.

Recommendation

10. For the reasons given above, I recommend that the appeal is dismissed.

Max Webb

Appeal Planning Officer

Inspector's Decision

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

K Taylor

INSPECTOR