



Appeal Decision

Site visit made on 1st August 2022

by Colin Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 1ST September 2022

Appeal Ref: APP/F5540/Z/21/3288948

Highway Verge at Grove Road, Hounslow, Middlesex TW3 3PU

- 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 Martin Stephens (JCDecaux UK Limited) against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00530/S/AD2, dated 25 August 2021, was refused by notice dated 10 December 2021.
 - The advertisement proposed is single sided 48 sheet display showing illuminated static images in sequence.
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Decision

1. The appeal is dismissed.

Background

2. The appeal concerns an illuminated advertising sign situated on the corner of Grove Road and Staines Road. The Council approved the sign in June 2020¹ and I saw on my site visit that it has been installed and is operating. One of the conditions attached to this consent is that the sign should not show more than one static image every 60 seconds. Consent is now being sought for the same sign in the same location, but with images being shown every 10 seconds rather than the 60 seconds currently permitted.

Main Issues

3. The main issues in this case are:
 - the effect of the proposal on visual amenity.
 - the effect of the proposal on public safety.

Reasons

Visual amenity

4. The sign is near a large, multi-storey building which was under construction at the time of my visit (described by the parties as the former Roundhouse site). According to the Council, it will be a mixed-use scheme which will incorporate residential units. I saw that windows have been installed in the building and it appears to be at an advanced stage of construction. Some of these windows directly face the sign on the other side of Grove Road.

¹ Council Reference: 00530/S/AD1.

5. The directly opposing windows in the lower levels of the building are at eye-level with the sign. Considering that the sign is a large structure and is in relatively close proximity to the building, it will form a significant part of the outlook from within these particular units. The windows on the upper floors benefit from more expansive views over and beyond the sign. While the sign will still be seen from here, it will be far less prominent.
6. It seems to me that occupiers of the proposed residential units will be most sensitive to the sign as the windows will provide the primary outlook for their personal living space. I have not been provided with any details of how the proposed residential and commercial units will be arranged within the building. Therefore, I am unable to discount the possibility that at least some of the residential units will be located on the lower levels of the building directly opposite the sign, where visual exposure is greatest.
7. In my view, changing the frequency of images being displayed from once every 60 seconds to once every 10 seconds will be highly noticeable within any lower-level residential units which are positioned directly opposite the sign. This faster rate of change would be perceived from inside the units as flickering, with the potential to cause visual disturbance and distraction. This would diminish the outlook from inside the new accommodation, materially harming the living conditions of future occupiers. Although there are other signs and advertisements in the street, they do not have the same impact on residential occupiers as this proposal would.
8. I note the appellant's point that the proposal would not be visually harmful because there is no one living in the new building at present. Yet while this may be the case, I saw on my visit that construction is well underway and there is little before me to indicate that it will remain unoccupied for very long. If consent were to be granted for the proposed signage, it would likely endure well beyond the construction phase of the building and hence negatively impact the future occupiers in the manner described above.
9. Based on the evidence available to me, I therefore conclude on this issue that the proposal would have a harmful effect on visual amenity. In reaching this conclusion, I have had regard to Policy CC5 of the Local Plan² which considers the effect of advertising displays on residential properties.

Public safety

10. The sign faces east and so is seen by those travelling in a westerly direction along Grove Road before it bends around a corner into Staines Road. This is a busy area near the centre of Hounslow and the road layout in the vicinity is relatively complicated, with various junctions, traffic lights and pedestrian crossings. It is clear that road users need to pay particularly close attention here and that any significant distractions could harm public safety.
11. My attention has been drawn to the Guidance for Digital Roadside Advertising³ which says in paragraphs 4.7 and 4.8 *the minimum message display duration should ensure that the majority of approaching drivers do not see more than one or two messages. This reduces the risk of driver's attention being focused on the digital display for long periods in anticipation of the next image. At sites where the cognitive demands on a driver may be higher, restricting the rate of*

² London Borough of Hounslow Local Plan 2015-2030.

³ Guidance for Digital Roadside Advertising and Proposed Best Practice, Transport for London, 04 March 2013.

change further to reduce the risk of a driver seeing more than one message at a time on a digital advertisement should be considered.

12. Although the cognitive demands on road users are high in this area, it seems to me that this is especially so near the traffic lights to the east of the sign at the junction with Bell Road. From my observations, this is where pedestrian and traffic movements appear to be most concentrated. While the sign directly faces these traffic lights, it is some distance away further along Grove Road and is not a highly prominent feature from here. Indeed, some driver's views of it will be blocked by other vehicles waiting at the lights.
13. In my view, the sign is not a particularly distracting feature near the junction with Grove Road and Bell Road and so increasing the frequency of the images being displayed would not undermine traffic safety here. While it is clearly seen further to the west when approaching the sharp bend in Grove Road, there are fewer conflicting traffic and pedestrian movements in this area. In free-flowing traffic, visual exposure to the sign would be brief, and so the effect of showing images every 10 seconds would not unduly distract road users to the extent that it could be said to undermine public safety. The sign would not conflict with the guidance quoted.
14. This leads me to conclude on this issue that the proposal would have an acceptable effect on public safety. I have taken into account Policies CC5 and EC2 of the Local Plan which, taken together, aim to promote safe and sustainable traffic networks.

Conclusion

15. While the proposal would be acceptable in terms of public safety, I have found that it would have a harmful impact on amenity. In reaching this decision, I have considered the Appeal Decision⁴ provided by the appellant which concerns a sign in Dover. Although advertising signs with a higher frequency of image change may be relatively commonplace, I have determined this appeal on the particular circumstances of the local surroundings.
16. For the reasons given above, the appeal is dismissed.

Colin Cresswell

INSPECTOR

⁴ Appeal Ref: APP/X2220/H/20/3254994.