



Appeal Decision

Site visit made on 31 October 2023

by C Livingstone MA(SocSci) (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2023

Appeal Ref: APP/F5730/Z/23/3323752

Land south of railway bridge, Scrubs Lane, London NW10 6RH

- 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 Mark Deans Roadside Media UK2 LTD against the decision of Old Oak and Park Royal Development Corporation.
 - The application Ref 23/0025/ADVOPDC, dated 28 February 2023, was refused by notice dated 24 April 2023.
 - The advertisement proposed is 'refurbishment of existing poster advertising location to display 3 X 48 sheet size advertising billboards (non-illuminated).'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. From my visit and on the basis of the evidence before me, the sign has been erected and therefore the development is retrospective.
3. While the highway authority have objected to the signage, the council are satisfied that the hoardings do not raise any public safety concerns. Following my site visit I see no reason to disagree with the council's conclusions. Therefore the main issue is as detailed below.

Main Issue

4. The main issue is the effect of the appeal proposal on amenity.

Reasons

5. The application site is located on a bend on Scrubs Lane (A219) which is a busy vehicular and pedestrian highway. When approaching the site from the south the highway is bound by the grounds of Wormwood Scrubs and Little Wormwood Scrubs Recreation Ground. Both grounds are bound by mature trees and planting, forming an attractive green corridor along the highway. While there is existing tall commercial style fencing at the application site, the existing mature trees and shrubs are the defining characteristic of the area. To the north of the site is a railway bridge with larger commercial buildings beyond.
6. The application is for consent to display three large 48 sheet signs on the edge the highway. When approaching from the south, along the straight corridor of mature trees and shrubs, the bend in the road ensures that the advertisements are visible from a distance. The road layout and their position and scale increase their visibility and dominance within the streetscape. The scale of the

advertisements is emphasised by an absence of development in the immediate area and also by the sense of enclosure created by the trees on either side of the road. As such the advertisements appear as a discordant and harmful element within the street scene.

7. I note the commercial nature of the wider area and the appellants refer to other advertisements and incidents of flyposting in the area, both currently and historically, and I note their comments on them. Based on the information before me and my own observations, other signs in the area do not occupy a prominent position within a particularly verdant and undeveloped section of Scrubs Lane. Further, other signs do not set a precedent and I have found the signs subject to this appeal to be harmful for the reasons detailed above.
8. Consequently, the advertisements have a harmful effect upon the amenity of the area. Although not determinative, I have taken into account Policy D1 of the Old Oak and Park Royal Development Corporation Local Plan 2022 (LP) along with the guidance contained in the National Planning Policy Framework (the Framework). Policy D1 of the LP seeks to ensure the delivery of a high quality public realm, requiring advertisements to have a positive impact on their surroundings, protecting the amenity of the area; and so is material in this case. The Framework also states that the quality and character of places can suffer when advertisements are poorly sited and designed; and is also material in this case. Given that I have concluded that the advertisements harm amenity, the development conflicts with Policy D1 of the LP and the Framework.

Conclusion

9. For the reasons given above I conclude that the display of the advertisements would be detrimental to the interests of amenity. Therefore the appeal is dismissed.

C Livingstone

INSPECTOR