



Appeal Decision

Site visit made on 9 April 2024

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2024

Appeal Ref: APP/Y5420/Z/23/3333695

479 High Road, Wood Green, London N22 8JD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Group against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2023/2100.
 - The advertisement proposed is erection of new 48 sheet digital display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. When the Council determined the application there was no advertisement on site. An advertisement had however previously been in situ for over 10 years (the previous advertisement). Though it was considered to have been displayed long enough to have deemed consent it was removed approximately 18 months before the application was determined. At the time of my site visit an advertisement was again present on the site. The lawfulness of this advertisement is uncertain, I have therefore determined the appeal on the basis of the circumstances as they existed when the Council made its decision.
3. The applicant is Wildstone Estates Group but the appeal was lodged by Wildstone Estates Limited. It is noted that Wildstone Estates Limited is part of the Wildstone Group. However, the right to appeal is given only to the original applicant, as confirmed by Section 78 of the Town and Country Planning Act 1990 (as amended). Therefore, the appeal will proceed in the name of Wildstone Estates Group.
4. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) confirm this approach. I have taken account of the provisions of the development plan insofar as they are material.
5. Since the Council issued its decision, the Framework was updated in December 2023. However, as the revisions do not affect the matters under consideration in this appeal, it was not considered necessary to seek further comment.

Main Issues

6. The main issues are the effects of the advertisement on amenity and on public safety.

Reasons

Amenity

7. The site is located on the junction between Lascotts Road and High Road and the advertisement would be displayed on the flank wall of 479 High Road (No 479) which is a two-storey semi-detached building.
8. Lascotts Road is a residential street, and the houses are generally terrace dwellings. Along this section of Lascotts Road there are no advertisements other than opposite the appeal site on the junction with High Road. High Road is a busy commercial road with a mix of shops and other facilities. Along High Road there is a mix of illuminated and non-illuminated advertisements including fascia signage above shop fronts and projecting signs. The advertisements are typically located at ground floor level and above shop fronts with the upper storeys of the buildings generally free from advertisements.
9. Given the prevalence of advertisements along High Road, additional advertisements would not necessarily appear out of character. Given its size and location the advertisement would also be visible from a considerable distance along High Road in one direction and thus it would be prominent. The advertisement opposite is similar in scale, appearance, and illumination to that proposed and as such the proposed advertisement would not appear incongruous alongside it within the commercial context of High Road.
10. However, the two illuminated advertisements would be situated opposite to each other on Lascotts Road, and adverts displayed would be seen in combination with other sequential imagery or advertising and given their close siting opposite each other they would be cumulatively visually jarring and obtrusive. Whilst this would only be appreciated near to the site this would be particularly jarring when viewed from the residential context of Lascotts Road.
11. Based on the images provided the previous advertisement appeared to be a similar size to that proposed. The proposed advertisement may be a more sleek and modern design compared to the previous advertisement with control over the levels of illumination, but this would not overcome the concerns related to the siting of the proposed advertisement in this location.
12. There are dwellings located close to the site, albeit the advertisement would be located at an obtuse angle which would limit the light pollution that would reach the nearest windows of those houses. Additionally, there is only one small window on the flank wall of No 479 above the proposed advertisement with most of the windows located to the front and rear of the building and as such those windows would not overlook the advertisement. Furthermore, conditions could be imposed to limit the levels of illumination which would ensure the advertisement, even alongside the advertisement opposite would not give rise to significantly harmful levels of light pollution to the neighbouring occupiers. This alongside the distance between the houses and the proposed advertisement as well as the angle it would be seen from would ensure the light produced would not be harmful to the amenity of nearby occupiers.

13. For the reasons given above, the design and siting of the advertisement viewed alongside the other advertisement on Lascotts Road, would harm the visual amenity of Lascotts Road. Insofar as it is material, the advertisement would conflict with Policy D8 of the London Plan 2021 and Policies DM1 and DM3 of Haringey's Development Management Development Plan Document (DPD). These seek, amongst other matters to ensure proposals are high quality and sensitive to their surroundings and do not contribute to visual clutter and be sited to avoid visual intrusion of light pollution into adjoining residential properties.

Public Safety

14. The PPG states that all advertisements are intended to attract attention and proposed advertisements at points where drivers need to take more care are more likely to affect public safety. This includes at junctions or other places where local conditions present traffic hazards. The PPG also states illuminated signs can affect public safety¹.
15. As set out above, the site is located on a junction between Lascotts Road and High Road. At the time of my site visit High Road was heavily trafficked with a steady flow of vehicles as well as pedestrians visiting shops. Lascotts Road appeared to be less heavily trafficked, but vehicles entered and exited the junction with High Road at regular intervals. I have no reason to consider that this was unusual. Along this section of High Road are on-street parking spaces as well as a bus stop and traffic lights for the signalled pelican crossing located a short distance from the site.
16. Whilst the Transport for London Area Planner did not object to the proposal, they did, alongside the Council's Principal Transport Planner, identify that since 2019 there had been a cluster of accidents near to this junction including one fatality. This still occurred despite the speed limits imposed on Lascotts Road and High Road and the forward visibility from the roads. There is no evidence to suggest that the previous advertisement was the cause of those accidents.
17. The location of the proposed advertisement would ensure it would not be seen behind the nearby traffic lights and would only be seen from a distance when heading southbound on High Road. However, given the location of the advertisement opposite, the two advertisements would be potential distractions to road users in both directions when passing this junction. Local conditions already present traffic hazards, including pedestrians crossing the road, vehicles entering or exiting the junction, buses stopping to pick up or drop off passengers, vehicles entering or leaving the parking bays, and the pelican crossing point. As a result, there are already several distractions which draw the attention of road users in an area where drivers need to be alert.
18. The advertisement would display images changing at regular intervals which would render the advertisement much more prominent than the blank flank wall of the building and the previous advertisement, particularly during the hours of darkness. Whilst conditions could be used to limit the number of adverts and their timing, adverts are designed to draw attention and the advertisement would appear bright and sharp and eye catching. It would therefore introduce another distraction to vehicular users, cyclists and pedestrians.

¹ Paragraph: 067 Reference ID: 18b-067-20140306 & Paragraph: 068 Reference ID: 18b-068-20140306

19. The advertisement would draw drivers' attention away from pedestrians crossing the road as well as changing traffic lights. The advertisement would also draw drivers' attention away from vehicles entering or exiting the junction, as well as causing a distraction when manoeuvres are being undertaken by buses and other vehicles. All of these situations have the potential to occur within a small section of the road where drivers and other road users need to be alert. This additional distraction, alongside the existing traffic hazards, would increase the potential for conflict between road users and particularly vulnerable road users such as pedestrians and cyclists and would consequently harmfully affect public safety.
20. For these reasons I conclude that the advertisement would be harmful to public safety. Insofar as it is material, the advertisement would conflict with Policy D8 of the London Plan 2021 and Policies DM1 and DM3 of the DPD. These seek, amongst other matters, to ensure proposals do not cause a hazard to pedestrians or road users, including by siting and design.

Other Matters

21. The proposal is part of a nation-wide project to upgrade traditional advertising hoardings to a modern digital format which would see an overall reduction in advertisements. This would result in the consolidation of multi-panel sites into single panels and there is evidence that there has been a significant reduction in the volume of advertising panels over several years. Whilst this project has seen the volume of advertisements reduced, in this instance the proposal would increase the number of advertisements in the immediate area.
22. The advertisement would provide a platform to broadcast emergency messaging and public messaging campaigns. However, the advertisement opposite the site could already provide this service.
23. Several applications have been referred to for advertisements that were granted express consent by the Council on the gable end of buildings close to busy highways. An appeal decision has also been brought to my attention for an advertisement in the same local authority area. These advertisements appear to be in busy commercial areas similar to the proposal before me, although not in the same area. However, those in different areas have their own unique contexts, and as such have limited bearing on my consideration of this appeal. I have therefore assessed the appeal on its own merits based on the evidence before me and my own observations.

Conclusion

24. For the reasons given above, I conclude that the appeal should be dismissed.

G Sibley

INSPECTOR