
Appeal Decision

Site visit made on 28 March 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 April 2025

Appeal Ref: APP/B5480/Z/24/3355249

309 Hornchurch Road, Hornchurch RM12 4TQ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of the Council of the London Borough of Havering.
 - The application reference is A0026.24.
 - The advertisement proposed is the replacement of paper and paste display with a D6 digital display.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The main parties have referred to various planning policies and guidance. The Regulations to control advertisements require that decisions be made only in the interests of amenity and public safety, taking account of cumulative impacts. As such, the planning policies and guidance cited cannot, therefore, be decisive, but I have taken them into account as a material consideration.
3. On 12 December 2024, a revised National Planning Policy Framework (the Framework 2024) was published with an amendment issued on 7 February 2025. The Framework 2024, as amended, does not raise any new matters that are determinative to the outcome of this appeal.

Main Issue

4. The Council raises no objection in relation to amenity. From the evidence before me, I have no reason to disagree with this finding. Consequently, the main issue is the effect of the proposed advertisement on public safety, with particular regard to highway safety mainly for users of Hornchurch Road (A125).

Reasons

5. The proposal is to introduce an internally illuminated digital display on the upper sidewall of the appeal property, which is a 2-storey building that stands near to a traffic light-controlled junction at one corner of a busy gyratory. The new display would be to one side of the host wall to face eastbound users of Hornchurch Road.
6. The new display would replace a larger, traditional non-illuminated poster panel that is currently in place. Should this appeal be dismissed, this existing panel would remain in situ. The proposal would also be smaller than an internally illuminated digital display on the site that was recently refused consent at appeal.

By significantly reducing the size of the display, the appellant considers that the objections raised by the previous Inspector have been overcome.

7. The Planning Practice Guidance (the Guidance) notes that advertisements at points where drivers need to take more care, for example at junctions and pedestrian crossings, are more likely to affect public safety. It also states that highway danger may arise due to internally illuminated signs that are subject to frequent changes of the display. The Guidance adds that there are less likely to be road safety problems if the advertisement is not on the skyline or on a site within a commercial locality, as is the case here.
8. The new display would be most noticeable for users of Hornchurch Road on the eastbound approach to the junction with the Roneo Link, which is hereafter referred to as 'the junction' and forms part of a gyratory. From this direction, the new display would come into view to one side and just ahead of the traffic lights at the junction. In these views, the heads of the traffic lights at the junction would not overlap with the new advertisement. However, the proposal would be broadly seen in the same vista and at a similar level to the traffic light signals.
9. For road users approaching the junction from the west, the proposal would appear as a substantial and prominent feature in the street scene due to its elevated position, projecting above the commercial aspects of the existing premises in the foreground. While the brightness and hours of illumination could be controlled by conditions, the impact of the display of advertising material would be significant. Compared to the existing poster panel, advertisements on the new digital display would be likely to be clearer and sharper in their detail and they would regularly change. That the display would also be illuminated would also attract attention especially after dusk, thereby accentuating the roadside presence of the proposal.
10. At this point, Hornchurch Road becomes one way and the carriageway switches from 2 vehicle lanes and a cycle lane to 4 vehicle lanes. During the mid-afternoon site visit, I saw that Hornchurch Road and the gyratory were reasonably busy. To my mind, this level of activity requires the concentration of roads users to be maintained, particularly on the approach to a junction. I also observed that drivers on this section of road sometimes change lane to reflect their onward route through the junction, with some turning right onto the Roneo Link and around the gyratory and others to avoid queuing traffic. While the volume of traffic and presence of signals often create relatively low speeds, drivers approaching the junction still require a high degree of attention and concentration to safely navigate it.
11. In that context, the prominence of the new advertisement due to its changing imagery and illumination would draw the eye on the approach to the junction even with a seamless transition between images, an urban street lit setting and with other advertisements nearby. In doing so, it would be a distraction to road users exactly at the point where full concentration on the road ahead is required even from drivers and cyclists that are taking reasonable care of their own and others' safety. As a result, it would be materially harmful to public safety. Therefore, the proposal does not overcome the concerns raised in relation to the previous appeal.
12. I appreciate that only 2 'slight' accidents have been recently recorded on the local highway network from where the proposal would be visible with none occurring within the one way, 4-lane section of Hornchurch Road on the approach to the site. Whether or not this accident record is regarded as relatively good, it obviously does

not take into account the presence of an internally illuminated display on the site. On that basis, it is not possible to deduce from these findings that local roads are therefore safe or that the proposal would not present a safety hazard.

13. I acknowledge that digital advertisement displays are a common roadside feature and note the reference made to one example at the junction between the A124 Rush Green Road and A125 Rom Valley Way. I have also carefully considered the case studies of other advertisements to which the appellant has referred and provided background details. The appellant has also drawn my attention to the before and after visual effects of a change of paper and paste poster sites to digital billboards elsewhere. The context of each of these examples differs to the proposal and so I am unable to draw direct parallels between these existing displays and the appeal scheme. In any event, each case should be assessed on its own merits, which I have done in this instance.
14. My attention has been drawn to the environmental, social and economic benefits of the proposal; however, I must limit my consideration of the appeal to matters of amenity and public safety. In any event, those benefits would not outweigh the harm that I have identified.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR