



Appeal Decision

Site visit made on 12 March 2025

by **H Senior BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal Ref: APP/T5150/Z/24/3355485

609 Kenton Road, Harrow, London HA3 9RT

- 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 Ltd against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/2120.
 - The advertisement proposed is 1no D6 (digital advertisement) screen.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has drawn my attention to Development Plan policies it considers relevant to this appeal, and I have taken them into account where relevant. However, powers under the Regulations¹ to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach.

Main Issue

3. The Council has no objection to the proposal on the grounds of visual amenity. From the evidence before me, and from my observations, I have no reason to disagree with the Council on these matters.
4. Therefore, the main issue is the effect of the advertisement on public safety with particular regard to pedestrian safety.

Reasons

5. The PPG in its section on advertisements states that all advertisements are intended to attract attention, with those proposed at points where drivers need to take more care more likely to affect public safety. Furthermore, it advises that the main types of advertisement which may cause danger to road users are those which are illuminated which could be mistaken for, or confused with, traffic lights and those subject to frequent changes of the display. Moreover, those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal could also pose a risk to highway safety.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

6. The proposed advertisement would be visible to drivers travelling along Kenton Road in a westerly direction. Although the new advertisement would be unlikely to be confused with the traffic lights for the pedestrian crossing, it would be located in close proximity to them and there would be a high probability that a driver's attention would be diverted by the illuminance and changing imagery of the advertisement at a point in the road where they would need to be focussing on traffic signals and road conditions. Such a loss of concentration on the highway conditions would be likely to result in harm to highway safety to pedestrians crossing over Kenton Road, using the pedestrian crossing. This would be exacerbated by the proximity of the entrance to the petrol filling station and private residential access road with vehicles exiting or slowing down to enter in close proximity to the crossing.
7. The presence of the proposed advertisement would provide a distraction to drivers at a point where they need to be concentrating on the local highway conditions and a momentary lapse in concentration as a result of the advertisement would be likely to result in harm to public safety for the reasons set out above.
8. I have had regard to the Highway Safety Report but none of the matters raised alters my conclusion that the proposal would be harmful to public safety. Although the collision data shows that there have been few accidents in the vicinity of the proposal, there may be an increased distraction to drivers that may increase the risk of accidents due to the advertisement.
9. I have had regard to the comparable sites referred to by the appellant, although as I do not have the full details before me, I cannot be certain that the circumstances of them are directly comparable to this case. It appears that the location of the advertisements in the London cases are not in the same position within the petrol filling station forecourts as the appeal before me. In any event, I have determined this appeal on its own merits based on the site-specific circumstances of the case.
10. The presence of the proposed advertisement would provide a distraction to drivers at a point where they need to be concentrating on the local highway conditions and a momentary lapse in concentration as a result of the advertisement would be likely to result in harm to public safety for the reasons set out above. The suggested conditions to control the display and level of illuminance would not mitigate the identified harm. Accordingly, the proposed advertisement would result in unacceptable harm to public safety with particular regard to pedestrian safety.

Conclusion

11. For the reasons given above the appeal should be dismissed.

H Senior

INSPECTOR