
Appeal Decision

Site visit made on 22 July 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/F5540/H/25/3365100

Land at Boston Park Road, Enterprise Car & Van Rental, Brentford TW8 9JF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Wildstone Estates Limited against the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/4370.
 - The advertisement proposed is 2no. digital advertising displays.
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Decision

1. The appeal is dismissed and express consent for 2no. digital advertising displays is refused.

Applications for costs

2. An application for costs was made by Wildstone Estates Limited against the Council of the London Borough of Hounslow and is the subject of a separate decision.

Preliminary Matters

3. The appeal was made on under section 78 of the Act against a failure to give notice within the prescribed period of a decision on an application for planning permission. However, I note that the Council issued a Decision Notice. Whilst I have dealt with this appeal as a failure to determine case, I have had regard to the Council's views had it been in a position to determine the application.
4. The description of development is taken from the application form. However, in the interests of clarity I have left out wording relating to details that are otherwise included on the plans and documents submitted with the application and is unnecessary to describe the development.

Background and Main Issues

5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the PPG) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
6. The development plan policies referred to by the Council are not determinative, but I have taken them into account as a material consideration.

7. The Council a copy of an Officer Report and has provided reasons why the application would have been refused. Therefore, the main issues are the effect of the proposed advertisement on the visual amenity of the area and public safety.

Reasons

Visual Amenity

8. The appeal site comprises and area of land within the car park of Enterprise Car and Van Hire, which has a single storey building with parking areas and partially enclosed by metal fencing. It is located on Boston Park Road, which is characterised typically by two-storey, terraced, residential properties. Furthermore, on my site visit I saw that within the vicinity of the appeal site advertisements are relatively small in scale and are not unduly prominent.
9. The wider surrounding area is of mixed commercial and residential character, which is dominated by the bulk, mass and scale of the M4 Motorway Flyover and the adjacent Great West Road highway infrastructure. I accept that there are a few tall commercial and residential buildings and existing advertisements within the wider area. However, these are not features typically found on this part of Boston Park Road.
10. The proposed digital displays would be attached to a tower structure which would have an overall height of approximately 30 metres, measuring approximately 16.5 metres to the base of the advertisement with each advertisement measuring approximately 5 metres wide and 10 metres high. It would exceed the height of the M4 Flyover by approximately 19 metres.
11. The proposal would introduce a visibly prominent and tall tower into the appeal site which is currently characterised by low level development. Whilst I accept that the design ensures that it will occupy a minimal footprint at ground level, its height at approximately 30 metres and elevation above the M4 will result in it appearing dominant and discordant in the context of the low-level development which sits on this side of the M4 flyover. Unlike the existing adverts to which my attention has been drawn, there are no tall commercial buildings to assimilate the advertisement to, and as a result particularly from Boston Park Road would be viewed as an isolated form of development that harms the character and appearance of the area.
12. The appellant states that the proposed displays will be set within an architecturally designed structure which reflects the appearance and materials of the nearby commercial built form. However, these developments are some distance from the appeal site, with nearby development exhibiting a more traditional form, design and use of materials, which the proposed advertisement would be at odds with.
13. The display would be primarily visible to travellers in both east and westbound directions on the M4, which I accept is a heavily commercialised area with substantial buildings and eye-catching contemporary commercial architectural along significant lengths of the road. However, whilst there are a number of existing digital advertisements found along the M4 Corridor, the proposed display would not be seen in the same context as the those displays. It would be seen largely in isolation from other such displays. For these reasons, the proposed display would not result in additional visual clutter harmful to amenity. Nonetheless, this would not outweigh the visual harm I have already identified.

14. In terms of the effect of the proposed development on the amenity of neighbouring occupiers, the Council states that the advertisement would give rise to increased disturbance to occupants of the nearby residential properties on Boston Park Road through light pollution and would also cause harm their outlook. However, based on the evidence before me, I consider that the displays would face the highway and there would be a separation distance between the structure and the windows in these buildings. Therefore, I find that the proposal would not result in adverse harm in this regard. Nonetheless, this lack of harm would have a neutral effect and therefore does not outweigh the overall harm I have found on visual amenity.
15. For the above reasons, I therefore conclude that the advertisement, by virtue of its scale, modern design, and prominent position results in significant harm to the visual amenity of the area.
16. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material. Whilst not decisive, it conflicts with Policies D4 and D8 of the London Plan 2021 and Policies CC1, CC2 and CC5 of the London Borough of Hounslow Local Plan 2015-2030, adopted September 2015 (the HLP) which together seek amongst other things, high quality design that responds to the local context and is compatible with surrounding buildings. Furthermore, there would be conflict with the Framework, which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public Safety

17. In respect of public safety, both the Highways Technical Note 01, submitted with the application and the Highways Technical Note 02 submitted with the appeal concluded that the proposed advertisement would not result in significant undue risk to highway or pedestrian safety as a result of driver or pedestrian distraction, nor would it constitute a severe impact in the context of the Framework.
18. Whilst the Council states that the proposed advertisement would distract drivers' attention, Transport for London raised no objection, subject to the imposition of certain planning conditions, including to control the interval between changes in display, to prohibit the use of special effects and to control the level of illumination.
19. Based on the evidence before me and my own observations, there is no substantive evidence that the proposed advertisement would cause harm to public safety. Thus, it follows that there would be no conflict with Policies T1 and T2 of the London Plan 2021 or Policy EC1 of the HLP.

Other Matters

20. The Church of St John the Evangelist is a Grade II Listed Building. Its significance lies primarily in its historical and architectural interest as a mid-Victorian brick church, built in 1866 to designs by a Mr Jackman, about whom little is known. It is characterised by a distinctive squat tower and contains remnants of early work by JF Bentley.
21. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in its decision requires decision makers to have special regard to preserving the listed building or its setting. However, this statutory duty only applies to a grant of planning permission and therefore does not take effect when dealing with an

appeal or application for an advertisement within the setting of a listed building. Nonetheless, that a building is listed is a material consideration.

22. The council did not find harm to the setting of this listed building and based on the evidence before me and my own observations during my site visit, I see no reason to disagree with this conclusion. Thus, I conclude that the proposed advertisement would preserve the setting of the listed building.

Conclusion

23. For the reasons given above, whilst I have concluded that the proposed advertisement would not be harmful to public safety, I conclude that it would be detrimental to the visual amenity of the area. Accordingly, the appeal should be dismissed.

K Lancaster

INSPECTOR