



Appeal Decision

Site visit made on 2 September 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2025

Appeal Ref: APP/Z5060/Z/25/3363289

Pavement adj. Genoa Building, 16 North Street, Barking IG11 8AW

- 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 Mr Richard Wilson (Clear Channel UK) against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref is 24/01750/ADVERT.
 - The advertisement proposed is a free-standing advertising Council information panel with 2no. back-to-back digital displays. Digital display dimensions: 1635mm H x 924mm W. Displays to portray static images that change every 10 seconds.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 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 (NPPF) and the Planning Practice Guidance (the PPG) confirm this approach. Therefore, while I have taken account of the policies that the Council considers to be relevant, these have not been decisive in my determination of this appeal.

Main Issue

3. The main issue is the effect of the proposed advertisement on public safety.

Reasons

4. The proposed advertisement would be located on an area of pavement on the eastern side of North Street, adjacent to the Genoa Building and in close proximity to a servicing/loading bay, and near the signalised junction with London Road. The area carries high levels of vehicle and pedestrian movements, including buses and heavy goods vehicles serving the adjoining retail premises.
5. The PPG states that all advertisements are intended to attract attention, with those proposed at points where drivers need to take more care being more likely to affect public safety. Furthermore, it advises that the main types of advertisement which may cause danger to road users are those that obstruct or impair sightlines at a junction, or at any point of access to a highway, and those which, because their size or siting, would obstruct or confuse a road-user's view. The PPG also states that externally or internally illuminated advertisements which are subject to

frequent changes of the display and which, because of their brightness, could result in glare and dazzle, are likely to distract road users.

6. The appellant argues that the lawful speed limit on North Street is 20mph, that the road alignment is straight, and that drivers would have clear forward visibility of the junction. While I acknowledge these points, the critical consideration is that this location nevertheless requires drivers to make frequent decisions in response to pedestrians crossing, vehicles entering and leaving the loading bay, and changing traffic signals at the junction with London Road. In such circumstances, even a modest degree of additional distraction can materially increase risk.
7. The siting and illuminated nature of the advertisement at this busy location, directly adjacent to a loading bay and the junction with London Road, would result in a prominent form of advertising, and would create a disorderly and distracting feature in this roadside environment.
8. The appellant points to the relatively small dimensions of the proposed advertisement compared with a standard 6-sheet poster panel. Whilst the panel would indeed be narrower than some traditional displays, it would nonetheless incorporate two illuminated digital screens displaying alternating content. The very purpose of such a display is to draw attention. The fact that images would change every 10 seconds is not sufficient to eliminate driver distraction, particularly at a point where vigilance is required.
9. Furthermore, the appellant highlights that images would remain static for 10 seconds, that brightness levels would comply with professional standards, and that the proposal accords with Transport for London's (TfL) Guidance on Digital Roadside Advertising (2013). However, the guidance also emphasises the importance of site-specific assessment. In this case, the Council expressly requested a Highway Safety Assessment, including analysis of collision data and sightline impacts, but none has been provided. In the absence of such evidence, I cannot be satisfied that the risks have been adequately addressed. The proposed advertisement would thus constitute a disruptive addition to the street scene.
10. Reference is made to an Inspector's findings in Bristol concerning bus shelter advertisements of comparable form. Whilst each case is assessed on its own merits, the appeal site differs materially in that it sits directly beside a busy junction and an operational loading bay where large vehicles frequently manoeuvre. These are precisely the types of locations where national guidance recognises that the presence of illuminated advertising can heighten safety risks. What's more, the proposed advertisement in this case would be a stand-alone structure rather than attached to an existing bus stop.
11. Although digital advertising is increasingly common in urban centres, the Advertisement Regulations require assessment on a site-specific basis. The fact that similar displays exist elsewhere does not establish that this location is suitable. What may be acceptable in other town centre settings cannot override the particular public safety risks that arise here.
12. Taking all of this into account, I conclude that the siting and nature of display, in the absence of robust safety evidence, would likely result in a distraction for users of the highway, would interfere with the safe use of the adjacent loading bay and would lead to the potential for increased conflict between road users. Consequently, it would have a harmful effect on public safety, contrary to the

provisions of the Framework and guidance within the PPG, which seek to control advertisements in the interests of public safety.

13. I have taken into account Policy DMD6 of the Barking and Dagenham Local Plan (2024) and Policy D8 of the London Plan (2021) which seek to ensure the public realm is well-designed and that advertisements don't adversely impact the safe use and operation of any form of traffic or transport for all users. Given I have concluded that the proposal would harm public safety, the proposal would conflict with these policies.

Other Matters

14. I have considered the appellant's point regarding the borough-wide rationalisation of advertising stock and the associated reduction in clutter. While that may be true at a borough-wide level, it does not alter the site-specific considerations in this case. Nor can the claimed financial benefits to the Council or the provision of public information screens weigh in favour of the proposal, as these matters fall outside the scope of the Advertisement Regulations.

Conclusion

15. For the reasons given above, the proposed advertisement would be harmful to public safety. Therefore, the appeal should be dismissed.

Thomas Courtney

INSPECTOR