



APPEAL STATEMENT OF CASE

Mill Road, West Drayton, UB7 7EQ

Wildstone Estates Limited
July 2025

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1.0 Introduction

- 1.1 The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 by Wildstone Estates Limited ('the Appellant') against the decision of the London Borough of Hillingdon Council ('the Local Planning Authority') not to grant advertisement consent. The application ref: 78043/ADV/2025/23, dated 28 April 2025, was refused by notice dated 30 May 2025.
- 1.2 Copies of the decision notice and the officer's report issued by the Local Planning Authority are enclosed with this submission in **Appendix 1**.
- 1.3 The Regulations and the National Planning Policy Framework (the NPPF) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative effects.
- 1.4 The proposal was refused under the officer's delegated powers on the grounds of the perceived negative impacts that the digital display would have on amenity. The officer commented as follows on their reasons for refusal:

"The development proposal by virtue of its scale, design, siting and illumination would be harmful to the visual amenity of the street scene and fail to preserve and enhance the appearance and character of the West Drayton Green Conservation Area, resulting in less than substantial harm. There are no public benefits to outweigh the harm identified. Therefore the development proposal would be contrary to Policies DMHB 4 and DMHB 13A of the Hillingdon Local plan - Part Two (2020) and Paragraph 215 of the National Planning Policy Framework (2024)."

2.0 Site and Surroundings

- 2.1 The appeal site is located on the southwestern corner of the commercial entity of the PFS, and the D6 small format advertisement display will be positioned within the site boundary. The PFS site itself is a commercial space and the forecourt has many existing advertisements in place. The surroundings of the PFS are predominantly residential. To the north, south, east and west of the PFS are residential properties, while Mill Close runs along the northeast boundary of the PFS. Mill, a 30mph single carriageway road, runs along the southern edge of the site. The nearest residential frontage with a view of the proposed display is 7 Mill Road, approximately 50m to the east.
- 2.2 The immediate surroundings of the site area can be viewed in **Figure 1** below.

Figure 1: The appeal site in July 2024.



Source: Google Street View.

- 2.3 The site is in a location where advertising of this type would typically be found, with the site already hosting numerous advertisements including a large banner being replaced by the proposal.
- 2.4 The site is in the West Drayton Green Conservation Area. The site has no listed buildings in proximity. In accordance with the classifications set out in the newly published ILP guide PLG 05/23, the proposal would be classified as within Environmental Zone 3 (suburban). The site is in a location where advertising of this type would typically be found, and the PFS already hosts many illuminated and non-illuminated adverts.

3.0 Appeal Proposal

- 3.1 The application ref. 78043/ADV/2025/23 sought advertisement consent to erect a single sided freestanding D6 small format advertising display which would exhibit static advertisements on rotation. This is a standard small format advertisement, which is found across the UK in roadside, retail and transportation environments. There are over 75,000 6 sheets in the UK. The advertisement which is the subject of this appeal is primarily aimed at users of the PFS and at westbound road users on Mill Road.
- 3.2 The proposed D6 small format advertisement display has the same dimensions as a standard 6-sheet hoarding, measuring 1.23m(w) x 2.4m(h) x 0.34m (d) and will utilise LCD digital technology, which is durable, efficient and can be easily erected with minimal engineering. The quality of the image produced will mimic that of a traditional paper and paste display. The proposed display will meet modern requirements and will be capable of displaying 6 advertising campaigns at a time, sequencing every ten seconds. The advertisements will comprise local and national campaigns as well as goods and services sold on site.
- 3.3 The D6 small format advertisement display will be monitored and controlled remotely in real time from a Network Operation Centre ('NOC') to display advertisements and facilitate responsive maintenance where necessary. Diagnostics software can report any small technical faults (e.g. a broken panel) so that a kill switch can turn the content to black. Engineers are able to respond within 24 hours to any issues which require attendance.
- 3.4 The display will replace two existing freestanding signs, one in the same location as the proposal. In their current format they are dated and detract from the modernisation of the site.

Conditions

- 3.5 It is imperative that digital displays are appropriately controlled to ensure that they are acceptable in amenity and public safety terms. All advertisements are subject to the five standard conditions set out in the Regulations. The vast majority of digital advertisement consents now also operate within an established set of parameters that include controls over the level of luminance and the proposed speed and rate of change between adverts. These "industry standard" conditions have evolved over time, to address common concerns relating to amenity and public safety.
- 3.6 The proposed display will operate with a system of threshold controls, timers and light sensors to ensure that the luminance never exceeds the ILP guideline figure at nighttime, with lower thresholds set on more sensitive sites.
- 3.7 Newly published guidelines by the Institute of Lighting Professionals (ILP) have introduced a new set of model conditions which can be applied to advertisement consents going forwards. The model conditions are set out within Appendix 1 of Technical Note 5 "The Brightness of Illuminated Advertisements including Digital Displays" (PLG05/23). These are attached in **Appendix 3** of this statement.

4.0 Planning Legislation and Policy

- 4.1 The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the “Regulations”). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.
- 4.2 The NPPF sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 141 of the NPPF, advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts.
- 4.3 As described in the National Planning Practice Guidance (NPPG) the regime is a “lighter touch” than the system for obtaining planning permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.
- 4.4 The statutory development Plan for the area consists of Hillingdon Local Plan Part 1 and Part 2, adopted October 2009.
- 4.5 The Local Planning Authority cited the following local plan policies in their reason for refusal:
 - Policy DMHB 4: Conservation Areas
 - Policy DMHB 13A: Advertisements and Shop Signage
- 4.6 Policy DMHB 4: Conservation Areas of the Local Plan Part 2 states that proposals, including advertisements, should be of a high quality contextual design. Policy DMHB 13A: Advertisements and Shop Frontages states that advertisements will be required to demonstrate that they compliment the visual amenity and character of the site and surrounding area, they do not have an adverse impact on public safety, they do not lead to visual clutter, and illumination is appropriate.
- 4.7 Policy DMHB 13A: Advertisements and Shop Signage states that in order to improve and maintain the quality of the public realm, advertisements, signs and hoardings will be required to demonstrate that they complement the scale, form, materials and architectural composition of their surroundings, complement the visual amenity of the surround area, enhance historic assets and their setting, do not have an adverse impact on public or highway safety, do not lead to visual clutter, provide an appropriate type and level of illumination, are suitable to the site and its surroundings, and enhance the visual amenity of vacant sites, building sites.

5.0 Grounds for Appeal

- 5.1 This section of the appeal statement sets out the grounds for this appeal in relation to the proposed installation of one D6 display at 1 Mill Road, West Drayton, UB7 7EQ, following the refusal of express consent under application ref. 78043/ADV/2025/23.
- 5.2 As previously set out above, proposals for advertisement consent should only be considered in terms of amenity and public safety. The proposal was only refused on the grounds of amenity; however it is also considered in terms of public safety below.

Amenity

- 5.3 The application was refused for the following amenity related reason:

“The development proposal by virtue of its scale, design, siting and illumination would be harmful to the visual amenity of the street scene and fail to preserve and enhance the appearance and character of the West Drayton Green Conservation Area, resulting in less than substantial harm. There are no public benefits to outweigh the harm identified. Therefore the development proposal would be contrary to Policies DMHB 4 and DMHB 13A of the Hillingdon Local plan - Part Two (2020) and Paragraph 215 of the National Planning Policy Framework (2024).”

- 5.4 Paragraph 141 of the NPPF is clear that “Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”. Moreover, the NPPG sets out that “in practice, ‘amenity’ is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passersby will be aware of the advertisement.”
- 5.5 In this case, the immediate neighbourhood is the petrol filling station itself since, in the context of the wider setting, the filling station structures (shop/canopy/pumps/illuminated totem and other features) will remain by the far dominant visual attractor. It is a design requirement that petrol filling station forecourts must be “adequately illuminated” at all times, with a minimum design illuminance of 100 lux at ground level (Section 9.5.6, APEA Blue Book – 4th Edition, April 2018).
- 5.6 Therefore, the context of the site is one of an already developed, well illuminated commercial operation. The effect on amenity of the proposed D6 advertisement on this well-lit immediate neighbourhood will therefore be minimal.
- 5.7 The refused digital display has the capacity to reach 5000 cd/m² which would appear as a full white display during the daytime, although this would never actually be displayed. Typically, daytime luminance levels range between 600 cd/m² to 2,500cd/m² depending on the brightness of the day. Any lower level of luminance is unviable as the advertisement would be unreadable on a sunny day.
- 5.8 During the hours of darkness, which are between dusk and dawn illumination will be limited to just 300 cd/m², as recommended by the Institute of Lighting Professionals. This would ensure that the proposed poster would not appear at all bright during times of darkness, providing additional consideration to the

amenity of the residents of 28 Mill Road to the northwest (albeit the display does not face towards the frontage of this property). When compared with the well-lit forecourt the effect of the digital display on visual amenity will be minimal.

- 5.9 The Council's reason for refusal on amenity grounds refers to Policies DMHB 4: Conservation Areas and DMHB 13A: Advertisements and Shop Signage. This is stated as being due to the 'less than substantial harm' that the display would cause to the West Drayton Green Conservation Area, and that the benefits of the display would not outweigh this harm. There is no character appraisal for the West Drayton Green Conservation Area on the Council's website.
- 5.10 The setting of the Conservation Area in this location has already been defined by the commercial PFS and the proposed sign, by virtue of its small format, will not materially change that. The proposed advertisement will not be of detriment to the West Drayton Green Conservation Area due to its small scale compared with the PFS infrastructure and its existing illuminated and non-illuminated signs. The architecture of the buildings surrounding the PFS is also not of any great significance.
- 5.11 The sign will therefore have no material impact on the relationship between the site and the Conservation Area, with the case officer even stating that any harm they believed there to be was less than substantial. The sign will assimilate into the commercial appearance of the existing site and is therefore in accordance with Policy DMHB 4: Conservation Areas.
- 5.12 By including the removal of an existing banner sign, the proposed display does not result in any material addition in clutter. This design of D6 display is seen on PFS forecourts across the county, and therefore entirely compliments the setting and visual amenity of the PFS. The proposal modernises the site, integrates with the existing street scene, and reduces the potential for future cluttering. For these reasons, the display accords with Policy DMHB 13A: Advertisements and Shop Signage.

Public Safety

- 5.13 The application was not refused for any reason relating to public safety, and no issues were raised by the Council's highways consultee. Nonetheless, public safety is considered below.
- 5.14 When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from the driving task. The petrol filling station is a well-established host of advertising relating to the business premises and products available. The proposed advertisement is intended to be viewed by users of the filling station whilst they are filling their vehicle, by westbound traffic on Mill Road, and by pedestrians.
- 5.15 The proposal site is in an uncomplicated location that drivers should be able to navigate with ease. The panel has been positioned to ensure that no drivers' visibility is blocked for road users entering or leaving the PFS or travelling on Mill Road. Westbound road users with a view of the advertisement will be travelling

along a straight and slow moving (30 mph) section of road with excellent visibility. The display will not impact any sight lines required for drivers to negotiate the junction with Mill Close. The display will not be visible to eastbound road users.

- 5.16 The small scale of the D6 display in context with the well-lit PFS forecourt and well-lit street means that the advertisement would not constitute a hazardous distraction. Drivers would be entirely capable of glancing at advertisements whilst maintaining stopping distances and an awareness of surrounding movements.
- 5.17 Although the sign will attract attention, as all signs are designed to do so, it is not considered that the proposed display is so unusual or the road characteristics so complicated that an advertisement in this location would cause a public safety concern. The proposed panels would incorporate illumination levels which align with the ILP's guidance, and this intensity is considered wholly acceptable for the location. The panel would be viewed within the context of the PFS, which is an acceptable location for advertising in highway terms. As such, the proposal is in accordance with planning policy and the NPPF in terms of public safety.

6.0 Conclusion

- 6.1 In accordance with Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, advertisements should only be controlled where they are harmful to amenity or public safety.
- 6.2 This appeal proposal is seeking advertisement consent for one single-sided D6 display on the northern corner of the PFS at Mill Road, West Drayton.
- 6.3 The case as set out within this appeal statement confirms that with appropriate controls in place, the proposed D-Poster will not result in any detrimental impacts on amenity or public safety. As such, it has been demonstrated that the proposed D-Poster is not contrary to policies and guidance set out in the Hillingdon Local Plan Part 1 and Part 2, the NPPF, the NPPG.
- 6.4 To this end, it is respectfully requested that the appeal be allowed, and advertisement consent is granted for the proposed works.

Appendix 1: Officer Report and Decision Notice

Appendix 2: Submitted Plans

Appendix 3: Model Conditions



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