



APPEAL STATEMENT

TOWN AND COUNTRY PLANNING (CONTROL OF
ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

1070-1072 Advertising Rights First Floor, Uxbridge Road, Hayes,
UB4 0RJ

Erection of a digital advertising display

INSITE REF: 11254 – 1070 / 1072 UXBRIDGE ROAD
LOCAL PLANNING AUTHORITY: HILLINGDON COUNCIL
APPLICATION REF: 8961/ADV/2019/37

DATE: SEPTEMBER 2019
AUTHOR: RXP

INTRODUCTION

1. The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
2. The appeal is made by Insite Poster Properties against the decision of Hillingdon Council. The application ref: 8961/ADV/2019/37, dated 24 June 2019, was refused by notice dated 19 August 2019.
3. Copies of the application made to the Council, the decision notice, officers report, and any supporting documents are enclosed separately with this submission.

MAIN ISSUE

4. The Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative effects¹.
5. The Council oppose the proposal in terms of amenity.

GROUND OF APPEAL

6. The appeal proposal is for the erection of a digital advertising display to the flank wall of no.1070-1072 Uxbridge Road. It would measure 6m in width and 3m in height. The display would present static two-dimensional images on a 10s sequential rotation. Advertisements would be illuminated in accordance with best practice guidance². There would be no special effects of any type associated with the display or rotation of advertising content. Advertisements would update in 0.1s or less, creating a seamless transition between images. The proposals entire operation would be controlled by planning condition³.
7. The display would be located in an area where the character and setting is predominantly commercial. Local high street shops, businesses, and the busy Uxbridge Road are all prominent features. National policy and advice advocates locating advertisements in such areas, here, impacts are appreciably less and commensurate to the environment in which they function. In this regard, the proposal should in principal be acceptable.
8. The proposed display, facing east, overlooks the Pointwest local shopping complex and a parade of local shops. Immediately west beyond the site, another parade of shops extends the length of the building terrace, which lies adjacent to the Ye Olde Crowne public house, and the site for a near identical digital display. Directly adjacent the site is the eastbound carriageway of the Uxbridge Road and a sports complex. The proposal would be seen directly in this commercial context, and with illuminated advertising featuring at nearby sites along the Uxbridge Road, it is considered the proposal would not lead to any material change in the appearance of the street scene or surrounding area. In this regard, it is considered the proposal would sit comfortably within its visual context

¹ National Planning Policy Framework, Paragraph 132

² Institute of Lighting Professionals, The Brightness of Illuminated Adverts, Professional Lighting Guide 05, 2014

³ See paragraph 16 of the Appeal Statement

without harming amenity, the qualities of the site, or the character and appearance of the wider area.

REASON(S) FOR REFUSAL

9. The Council's reasons for refusal are contained within the delegated report and set out below.
 - a) By virtue of its extensive size and scale the proposal would fail to compliment the character and appearance of the host building.
 - b) Due to its siting and prominent forward location the proposal would detract from the visual amenities of the street scene and surrounding area.
 - c) At night, by virtue of the screens size, internal illumination, rotating images, and lack of other similar forms of advertising, the proposal would be visually intrusive within the immediate locality.

APPELLANT RESPONSE

10.
 - a) The proposed display's size and scale is industry standard, measuring 6m x 3m x 0.45m, and is not overly extensive, matching the size and scale of advertising displays throughout the surrounding area. Moreover, the proposal would lie entirely within the confines of the flank wall, replicating its horizontal and vertical lines, and would appear to be purposely framed by the wall, ensuring that it does not appear to dominate its immediate surroundings. The proposed display's moderate size and scale would cause it to appear subordinate to the flank wall and host building, which extends beyond the unit in all directions. As a commercial apparatus, the display would be in keeping with the host building, and gable wall. The building is of mixed use with a strong commercial identity; the prominent ground floor is occupied entirely by local and high street businesses. The gable wall overlooks the Pointwest shopping centre and the parade of shops which extend to its east. It is therefore considered that the addition of the digital display would not detract from the character and appearance of the host building or flank wall.
11.
 - b) The siting / location of the proposal is unlikely to detract from the visual amenity of the street scene or surrounding area. As previously demonstrated the site lies within an area predominantly characterised by commercial buildings, land use, and activity. It would be seen in the context of the busy Uxbridge road, and the extensive parade of shops within the sites foreground. The proposal would not therefore dominate the site, or the surrounding area, and would appear as a simple commercial feature within a commercial environment.
12.
 - c) At night the proposals operation would be such that it would not appear as a prominent feature of the street scene. Illumination would be strictly controlled and limited to a maximum of 300 candela/sqm. It would appear no brighter than illuminated shop frontages, and the digital unit operating with deemed consent on the opposite side of the building terrace. In comparison to the more commonplace displays found throughout the surrounding area, the proposal would be of limited luminance, as these function by means of cathode tubing that operates between 400-600 candela/sqm. Furthermore, the proposal would not be a single point of luminance; street lighting, commercial lighting, and passing vehicles, all contribute to the illumination of the surrounding area. It would not therefore appear as a standalone or isolated entity.
13. The rotation between advertisements is specifically designed so as not to attract attention or cause content to appear intrusive. The lack of any special effect, and the 0.1 second or less update to the

next advertising image creates a transition between content that is featureless, leading to an uninterrupted continuous presentation of media.

14. There are similar forms of advertising throughout the surrounding area as identified within the appeal statement. The wider area is accustomed to the presence of illuminated advertising. The addition of the proposal to the street scene would be unlikely to detract from amenity or be visually intrusive in this respect.

CONCLUSION

15. The appellant has demonstrated the proposal would successfully integrate with the street scene without appearing overly prominent / dominant and would not be visually intrusive at night. The proposal would not detract from the amenity of the site, street scene, or surrounding area. The appellant therefore requests that the appeal be allowed.

RECOMMENDED CONDITIONS

16.
 - A. Express consent is permitted for a period of five years from the date hereof.
 - B. Illumination of the advertising unit(s) shall accord with the Institute of Lighting Professionals publication "The Brightness of Illuminated Advertisements" (PLG05:2015).
 - C. The minimum display time for each advertisement shall be 10 seconds and there shall be no special effects (including noise, smell, smoke, animation, flashing, scrolling, intermittent or video elements) of any kind before, during or after the display of any advertisement.
 - D. The sequencing of messages relating to the same product is prohibited.
 - E. The interval between successive displays shall be 0.1 seconds or less and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.
 - F. The advertising display panel shall have a default mechanism to freeze an advertisement in the event of any malfunction.