



Appeal Decision

Site visit made on 27 March 2025

by **Chris Couper BA Hons DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 April 2025

Appeal Ref: APP/R5510/Z/25/3358932

Petrol Filling Station, High Road, Eastcote, Pinner, Middlesex HA5 2ET

- 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 Limited against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 3689/ADV/2024/43.
- The advertisement proposed is described as an illuminated, small format display.

Decision

1. The appeal is dismissed.

Background

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 set out that powers shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material; and any other relevant factors.
3. In accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the 1990 Act'), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas, including their setting. This applies to advertisement applications and appeals in so far as it relates to the consideration of amenity.
4. Having regard to s66(1) of the 1990 Act, the duty to have special regard to preserving a listed building or its setting does not apply to applications for advertisement consent, although factors relevant to amenity include the presence of features of historic, architectural, cultural or similar interest.
5. The Council has raised no dispute on the matter of public safety. Based on the evidence provided, and from what I have seen during my visit, I am satisfied that there is no substantive issue in this respect. I have therefore focused on the impact on amenity.
6. Finally, my decision has had regard to the latest version of the National Planning Policy Framework, which was published in December 2024 ('Framework').

Main Issue

7. The main issue is the effect of the proposal on visual amenity.

Reasons

8. The Planning Practice Guidance sets out that in assessing amenity, the local characteristics of the neighbourhood should be considered and if, for example, the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would need to consider whether it is in scale and in keeping with them¹.
9. The site comprises a petrol filling station, which is located on the north-western side of High Road, amidst trees and landscaping along the banks of the River Pinn. It falls within the Eastcote Village Conservation Area ('the EVCA') which, having regard to the Council's EVCA leaflet, includes the historic hamlet of Eastcote and surrounding areas. It describes linear development along the River Pinn and surrounding woodlands, along with country houses and their grounds, and well-designed residential estates, some in an Arts and Crafts style. Together with the sinuous roads, these features combine to provide an attractive, well-landscaped environment, with echoes of the rural village it once was.
10. As illustrated at Figure 10 of the grounds of appeal ('GoA') there are existing advertisements on the site, including totems, canopy signage, non-permanent displays, and signs attached to the building, many of which are illuminated.
11. The proposed advertisement would be freestanding and located on a strip of landscaping next to the highway. Its illuminated digital content, with static images rotating every 10 seconds, would draw the eye; and in this prominent position it would appear as an urbanising feature which would jar with the area's prevailing character, and with the site's landscaped setting. Having regard to existing signage and cumulative impacts, the scheme would harmfully exacerbate a sense of clutter.
12. This part of the EVCA contains a range of uses, including commercial activities particularly around the small local centre to the north-east. However, the advertisements there are some distance from this site and, as illustrated at Figures 1 to 3 of the covering letter², they are typically attached to commercial buildings or are in a part of the streetscene with a less landscaped backdrop compared to here; and the double-sided advertisement next to the Grade II Listed K6 type telephone kiosk on Black Horse Parade is a static display.
13. That kiosk, along with the Grade II listed Black Horse Public House and Old Barn House, are on the opposite side of High Road to the petrol filling station. The proposed display would face away from them, with its rear elevation barely perceptible from them given its limited scale and the considerable distance. Thus, the setting of those historic features would not be harmed.
14. At Appendix 1 of the GoA the appellant has provided examples of similar advertisements allowed elsewhere in London and in Walsall. However, I have few details of those schemes' contexts, and I have considered this proposal in this location on its merits.
15. The appellant says that the proposal will replace poor quality displays, but I have no evidence regarding which would be replaced, nor how that could be controlled. Matters including luminance levels and the transition between advertisements could

¹ Ref: ID: 18b-079-20140306

² Letter from Stantec dated 13 August 2024

be controlled by means of conditions, as suggested at Appendix 5 of the GoA, but that would not adequately mitigate the scheme's harmful impact. As such, the proposal would fail to preserve or enhance the character and appearance of the EVCA, and I therefore conclude that it would have a harmful effect on amenity.

16. In accordance with the Regulations, I have taken into account the provisions of the development plan in so far as they are relevant. Although the Council's decision refers to Policy DMHB 3 of the Hillingdon Local Plan Part 2 (2020) ('HLP2'), it has not drawn my attention to any locally listed buildings. As I have found that the scheme would not harm the setting of the kiosk, the Black Horse Public House, or Old Barn House, it would accord with the approach in its Policy DMHB 2.
17. I have considered Policies HC1 and D3 of the London Plan 2021; Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 (2012), and HLP2 Policies DMHB 1, DMHB 4 and DMHB 11; along with HLP2 Policy DMHB 13A) which addresses all advertisements, including freestanding ones. Whilst not determinative, in so far as they seek to protect visual amenity, require schemes to respond to local context and character, and have regard to historical and environmental features, they are material in this case.
18. As I have concluded that the proposal would harm visual amenity, it would not accord with their approach, or with the stance at paragraph 141 of the Framework, which sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.
19. Whilst the appellant cites economic, sustainability and social benefits, advertisements are subject to control only in the interests of amenity and public safety. Having regard to Framework paragraphs 214 and 215, the question of whether the proposal would cause less than substantial or substantial harm to a designated heritage asset does not arise, as the policy only applies to the heritage-related consent regimes under the 1990 Act.
20. Summing up, although the proposal would be acceptable in terms of public safety, it would have a harmful effect on visual amenity, and it would fail to preserve or enhance the character and appearance of the EVCA. For that reason, and having regard to representations in relation to these matters in favour and opposed to the scheme, the appeal is therefore dismissed.

Chris Couper

INSPECTOR