
Appeal Decision

Site visit made on 25 April 2016

by Megan Thomas BA(Hons) in Law, Barrister

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 May 2016

Appeal Ref: APP/R1550/Z/15/3141554

Land between 779 and 825-827 Uxbridge Road, Hayes, Hillingdon UB4 8HZ

- 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.
 - The appeal is made by J C Decaux UK Ltd against the decision of the London Borough of Hillingdon.
 - The application Ref 47648/ADV/2015/70, dated 17 September 2015, was refused by notice dated 10 November 2015.
 - The advertisement proposed is the removal of one externally illuminated advertising display and erection of two internally illuminated sequential displays in a 'V' formation.
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Decision

1. The appeal is allowed and express consent for the removal of one externally illuminated advertising display and erection of two internally illuminated sequential displays in a 'V' formation as applied for is granted. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions: -
 - 1) Each of the advertisement screens hereby approved shall be fitted with the specified light sensors which shall control the brightness at all times. During the daytime period (between local sunrise and sunset) the brightness of the screens shall be controlled to be no more than 3500 cd/sqm. During the night time period (between sunset and sunrise) the brightness shall be controlled to be no more than 350 cd/sqm.
 - 2) The frequency of change of any image shall not be more than once every 10 seconds.

Main Issue

2. I consider the main issue to be the effect of the proposal on the visual amenity of the area.

Reasons

3. The Council refers to development plan policies. The Regulations require that decisions be made only in the interests of amenity and, where applicable, public safety. Therefore, the development plan policies alone cannot be decisive, but I have taken them into account as material considerations.
4. The appeal site is a plot of land that lies to the south of Uxbridge Road opposite Hayes End Library. It is a grassed and scrub area at the side of the road beyond

- a layby. It is on the south side of the road and there is a public park to its rear. Uxbridge Road is an arterial dual carriageway at this point, with a very high number of daily vehicle movements.
5. The proposal involves an upgrading of an existing panel to an internally illuminated sequential display and an additional advertisement to face west in 'V' formation. Previously there was an additional display which faced west forming the 'V' in the form of an externally illuminated 96 sheet. This advertisement was damaged in a storm and was taken down in 2014.
 6. There are a number of advertisements in the immediate vicinity of the site. 825 Uxbridge Road is a three storey building and on its flank wall facing south east is a large digital advertisement hoarding. There are three other large advertisement displays between the appeal site and the flank wall of no.825. All have a backdrop of trees and bushes. At the time of my site visit, there were also some banner-type advertisements in the vicinity of the site.
 7. Whilst there would be a cluster of advertisements in this location the site is clearly within a commercial area where it is not incongruous to see advertisements. The character of the area is dominated by the dual carriageway and the streetscape is large in scale with laybys, large buildings, shops and wide grass verges. At night or in the dusk or dawn, illumination of the proposed screens is not likely to dominate the visual appearance of the area alongside this arterial road. The quality and design of the proposed displays would be reasonable. Whilst it is regrettable to lose a view of greenery, this is an appropriate location for an additional advertisement in my view.
 8. Given the immediate and wider context I conclude that the removal of one externally illuminated advertising display and the erection of two internally illuminated sequential displays in a 'V' formation, made of the material proposed and affixed accordingly, would not be harmful in visual or character terms; the amenity of the area would be retained. The proposal would not conflict with saved policy BE27 of the Hillingdon Local Plan Part Two – Saved UDP Policies.
 9. In terms of conditions, in order to protect highway safety and amenity, I consider that controlling brightness during daytime and night time is necessary and controlling the frequency of change of image on the screen is also necessary. Accordingly, appropriate conditions have been imposed.
 10. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed.

Megan Thomas

INSPECTOR