



## Appeal Decision

Site visit made on 5 December 2023 by Ms S Maur MRTPI

### Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2024

**Appeal Ref: APP/R5510/Z/23/3326891**

**Holiday Inn London, Sipson Road, London UB7 0HP**

- 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 Omar Nicholls (LGH Hotel Management) against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 6843/ADV/2023/16.
- The advertisement proposed is a stretched skin advertising banner mounted on the northern flank wall of the hotel.

### Decision

1. The appeal is allowed, and express consent is granted for the display of a stretched skin advertising banner mounted on the northern flank wall of the hotel at Holiday Inn London, Sipson Road, London UB7 0HP in accordance with the terms of the application, Ref 6843/ADV/2023/16, dated 30 March 2023. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following conditions:
  - 1) The proposed display will be illuminated only during the hours of 06:00-00:00.
  - 2) The intensity of illuminance of the advertisement hereby granted shall be no brighter than 600cd/m<sup>2</sup> at any time.

### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. The Council has drawn my attention to development plan policies it considers pertinent to this appeal and I have taken them into account where relevant. However, powers under the Regulations to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (Framework) and the Planning Practice Guidance (PPG) reiterate this approach.
4. The Government published on 19 December 2023 a revised version of the Framework. Whilst I have had regard to the revised national policy as a relevant factor, in this instance, the issues most relevant to this advertisement appeal remain unaffected by the revisions to the Framework. I am therefore

satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

### **Main Issue**

5. The Council has no objection to the proposal on the grounds of public safety. From the evidence before me, and from my observations, I have no reason to disagree with the Council on this matter. Accordingly, the main issue is the effect of the proposed advertisement on amenity.

### **Reasons for the Recommendation**

6. The appeal property is a large hotel with a 'brutalist' design and there are several high level 'Holiday Inn' signs on the elevations. Those on the main part of the building are set just below roof level on a curved feature. The building is located at the corner of junction 4 of the M4 which overlooks the Heathrow Interchange and is adjacent to the M4 flyover. While there is residential development in the wider area, the appeal site is located within a largely commercial and urban setting.
7. The proposed advertisement would replace one of the existing Holiday Inn signs, so would not result in additional advertising clutter. The top of the sign and the lighting unit would sit slightly above the parapet and it would extend down the host building further than the existing sign, but would finish well above the level of the lower wings of the hotel. It would have a similar width to the curved feature and would be situated on a large hotel with multiple other features on the roof, therefore the slight upward projection would not be particularly noticeable, particularly from ground level.
8. The elevation on which it would sit is relatively plain and while large, the size of the advertisement would respect the proportions of this narrow end elevation. Whilst the hotel demonstrates a brutalist design, it is not protected and the nature of the architecture would still be clearly visible and no features of particular interest would be obscured or diminished by the proposal. Overall, therefore, the proposed advertisement would complement the scale, form and architectural composition of the host building and integrate comfortably into the fabric of the building.
9. Although the advertisement would have some visual impact and be a noticeable feature in the immediate area, this would not automatically result in harm to amenity. It would be a conventional billboard type advertisement with overhead external lighting, and would therefore have materially less impact than the digital screens commonly found elsewhere around Heathrow airport.
10. Whilst there are no advertisements visible from this section of the M4, it is common to have advertisements viewed from the motorway and within a commercial setting. The mature trees and leafy character of the surrounding roads would not be affected by the proposal, and it would not appear incongruous in its setting during the day with the limited illumination proposed.
11. The proposal would however be considerably more visible at night due to its elevated position. While there is some lighting around the motorway and at street level, there are no other illuminated advertisements of this scale and height in the area. Therefore, it would result in some harm to the amenity of the area if illuminated overnight. This harmful impact can however be

satisfactorily mitigated by conditions restricting the hours of illumination and the degree of luminance.

12. For the reasons given above, the proposed advertisement would not harm amenity. I have taken into account Policy BE1 of the Hillingdon Local Plan Part 1 (2012) (LPP1), and Policies DMHB11, DMHB 12 and DMHB 13A of the Hillingdon Local Plan Part 2 Development Management Policies (2020) (LPP2), which require development should be well integrated with the surrounding area and therefore seek to protect amenity, so are material in this case. Given that I have concluded that the proposal would not harm amenity, there is no conflict with these Policies.
13. Reference is made in the Council's reason for refusal to LPP1 Policy HE1 and LPP2 Policy DMHB13. These relate to shopfronts and heritage respectively, which are not directly relevant to this appeal proposal. They have not therefore been determinative in my recommendation.

### **Conclusion and Recommendation**

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to the five standard conditions as set out in the regulations and the additional conditions set out above.

*Ms S Maur*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

15. I have considered all the submitted evidence and my representative's report and I agree with the reasoning and recommendation. On that basis the appeal is allowed subject to the standard conditions and the additional conditions listed above.

*L McKay*

INSPECTOR