

Appeal Decision

Site visit made on 23 July 2024

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2024

Appeal Ref: APP/R5510/Z/23/3334295

Stockley Road at Heathrow Interchange, West Drayton, UB7 9HJ

- 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 Ms Maddalena Sanvito, Street Vox against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 78228/ADV/2023/39.
 - The advertisement proposed is for the installation of 1 externally illuminated vinyl banner (17m x 6m).
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Decision

1. The appeal is allowed and express consent is granted for the installation of 1 externally illuminated vinyl banner (17m x 6m) at Stockley Road at Heathrow Interchange, West Drayton, UB7 9HJ in accordance with the terms of the application, Ref 78228/ADV/2023/39.
2. The consent is for three years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Preliminary Matters

3. I have taken the address and description of development above from the appeal form and decision notice in the interests of clarity.
4. The Council has referred to Policies BE1 of the Hillingdon Local Plan Part 1 (November 2012) and Policies DMHB 11, DMHB 13A and DMEI 4 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) within its reason for refusal. I have taken them into account as a material consideration where relevant.
5. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance reiterate this approach. Consequently, issues relating to 'inappropriateness', 'other considerations' and 'very special circumstances' with regard to the Green Belt do not apply.

Main Issues

6. The main issues are the effect of the proposed advertisement on:

- The amenity of the surrounding area; and
- Public safety.

Reasons

Amenity

7. Located on the north eastern extent of the Heathrow Interchange roundabout the advertisement would be a sizeable structure. Positioned close to the edge of the nearside lane of Stockley Road leading to the eastbound carriageway of the M4, it would be a highly visible and prominent feature displaying static advertisements and would be externally illuminated.
8. The Land immediately at the rear of the appeal site is flat and undeveloped. The advertisement would stand alone and due to its width and height would obstruct some openness and obscure views across a small parcel of undeveloped grassed open land behind it. However, views across the area are foreshortened by the high banking of land towards the roundabout, the motorway slip road and landscape features to the north around Stockley Road and Shepistone Lane. Thus despite the size of the proposal, these elements would offer some form of mitigation providing an enclosing aspect to the extent that the advertisement would not appear out of scale with its surroundings or significantly detract from the openness of this area.
9. From my observations, the area is not uncluttered and typical of roadside verges and land around busy road junctions. The area is heavily influenced by the extensive road network, signage, tall roadside infrastructure, hotel and business development on the approach to Heathrow airport. Elements of these would all be seen in the same views as the advertisement and experienced within the immediate area.
10. I have no substantive evidence that illumination would add significantly or harmfully to light pollution in the area. Although there are no advertisements in the immediate area, it is also well lit, busy and dynamic with road traffic. The advertisement would be of a conventional advertisement billboard appearance and even with illumination would not be incongruous or jarring in this particular location, the absence of other advertisements would ensure that visual clutter is not excessive or harmful.
11. Whilst it is not doubted that many visitors may see the advertisement, views of it would be mainly experienced by those in vehicles due to the absence of footways and housing around the interchange, and therefore fleeting. Given that I consider the scale and location of the advertisement would be acceptable within its setting, I am not convinced that this would be detrimental to any first impression of the area. Therefore, I conclude that the proposed development would not harm the amenity of the area.

Public safety

12. Public safety is not identified as a reason for refusal. Although the Council has raised some concerns, the Highway Authority does not envisage any

harmful effects in terms of possible distraction or interference with forward visibility for motorists in the locality. Furthermore, the evidence before me does not suggest that the junction is particularly dangerous, and the few recent incidents have been minor in nature.

13. Nor is there any substantive evidence before me that LED lights are harmful to night vision for drivers. In any event, the Highway Authority has not objected on this basis either. I therefore conclude that the proposed development would not be harmful to public safety.

Other Matters

14. I have taken into account Policy BE1 of the Part 1 Local Plan, Policies DMHB 11 and DMHB 13A of the Part 2 Local Plan and the Framework. These seek to maintain the quality of the public realm, that advertisements compliment the buildings they relate to and that the quality and character of places can suffer when advertisements are poorly sited and designed; and so are material in this case. Given I have concluded that the proposal would not harm amenity or public safety, the proposal does not conflict with these policies.

Conditions

15. The Council suggested in the questionnaire that no conditions other than the 5 standard conditions should be imposed in the event of the appeal succeeding. The application form states a three year duration, and I have therefore stated that the consent is only for the period sought.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.

K Williams

INSPECTOR