

## DELEGATED

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<b>References:</b>	P/2008/1839	00505/GA/AD1
<b>Address:</b>	Land at Kensington and Chelsea Cemetary, adjacent to Vantage West, Great West Road, Brentford	
<b>Ward:</b>	Brentford	
<b>Proposal:</b>	Retention of internally illuminated mega 4 advert poster panel	
<b>Drawing numbers:</b>	ODP 105 received 30.5.08	
<b>Application received:</b>	30.05.08	

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### 1.0 SUMMARY

- 1.1 Advertisement consent is sought for the retention of a mega 4 advertisement internally illuminated advertisement panel.
- 1.2 The advertisement is being displayed without consent. The owners have been asked to remove it, as it is unauthorised. This application has been submitted to retrospectively seek consent to display it. It is recommended that permission to retain the advertisement be refused, and action be taken to remove the unauthorised advertisement.

### 2.0 SITE DESCRIPTION

- 2.1 The Kensington and Chelsea Cemetery is south of Gunnersbury Park, on the north side of the A4 /M 4. It abuts the office building of Vantage West on its western edge. The advert is within the area of the cemetery, above the boundary fence with the Vantage West site. It faces the A4 west
- 2.2 The A4 is managed by TfL and elevated M4 is managed by the Highways Agency.
- 2.3 The advertisement sits on a solid structure, physically supporting it, and raising it above ground level to be visible to motorists on the A4.
- 2.4 To the north east is Gunnersbury Park within Metropolitan Open Land. The site falls within Gunnersbury Park Conservation Area and the Metropolitan Open Land. To the west are 3 office buildings, that sit between Gunnersbury Park and the A4 / M4 corridor. On the opposite side of the A4 / M4 are more office and industrial buildings, forming part of the Kew Bridge and Lionel Road industrial and commercial areas.

2.5 To the east is Chiswick roundabout. The advertisement fronts a part of the A4 where the road narrows from 3 lanes to 2 lanes approaching Larch Drive and Chiswick roundabout. There is also a bus stop nearby

### **3.0 HISTORY**

3.1 There is no planning history for this advertisement. However, permission was recently refused for consent to display advertisements on the building of Vantage West. This refusal was upheld on appeal dated 9.3.07

### **4.0 DETAILS**

4.1 Advertisement consent is sought to retain the advertisement display. The portrait shaped panel is a mega 4 panel. The advertisement panel is attached to a solid structure, which has underground electrical connections for the internal illumination. The current display is static, facing west.

### **5.0 CONSULTATIONS**

5.1 Transport for London commented that as it is retention of an existing advert, they have no objection. However, they would object to any advert that is not a static display

5.2 Head of Traffic and Parking has no objection to the sign, provided the display is static only. If it was intermittent or scrolling there would be concerns.

5.3 Brentford Community Council have long opposed the proliferation of advertisements along the Great West Road and urge the Council to refuse consent and to enforce removal

5.4 Highways Agency have no comment as the advertisement is not visible at M4 level.

### **6.0 POLICY**

**Planning Policy Guidance 19 “Outdoor Advertisement Control” (2007)**  
Annex: Criteria for Deciding Applications and Appeals Involving Poster Sites  
Circular 3/2007

#### **The Development Plan**

6.1 The Development Plan for the Borough comprises the Council's Unitary Development Plan (UDP) and the London Plan. The UDP was adopted in December 2003 and was amended and saved as of 28 September 2007 by direction from the Secretary of State. The 'London Plan (Consolidated with Alterations since 2004)' was adopted in February 2008.

#### **Material considerations and emerging policies**

6.2 As part of its prospective Local Development Framework, the authority has prepared two draft development plan documents ('DPDs'): the Employment

Development Plan Document and Brentford Area Action Plan, which are subject to Examination Hearings in March and April 2008 respectively. The authority has also prepared two draft supplementary planning documents ('SPDs') in relation to 'Planning Obligations' and 'Air Quality'. As emerging policy, the two DPDs and two SPDs are material considerations in determining applications for planning permission. In particular, BAAP policies on the GWR are particularly relevant.

### **Unitary Development Plan**

6.3 The statutory development plan for Hounslow is the Unitary Development Plan, adopted on 12 December 2003. Relevant policies are:

<b>IMP.4.2</b>	The Great West Road
<b>ENV-B.1.1</b>	All New Development
<b>ENV-B.1.4</b>	Advertisements
<b>ENV-B 2.2</b>	Conservation Areas
<b>ENV-N 1.5</b>	Protection of Metropolitan Open Land
<b>ENV-N 1.7</b>	Development Near the Metropolitan Open Land Boundary
<b>ENV-N 1.16</b>	Historic Parks and Gardens
<b>T.4.4</b>	Road Safety

6.4 Relevant SPG

Conservation Area Statement 1997 SPG

Conservation Area Appraisal – draft for Consultation 2006

## **7.0 PLANNING ISSUES**

7.1 Planning issues to consider are:

- The effect of the proposal on the Conservation Area and amenity; and
- Highway / public safety considerations.

### **Assessment framework**

7.2 Pursuant to the Town and Country Planning (Control of Advertisements) Regulations 2007, the display of outdoor advertisements can only be controlled in the interests of 'amenity' and 'public safety'.

7.3 PPG19 sets out the Government's planning guidance on the display of outdoor advertising. In accordance with PPG19, in assessing an

advertisement's impact on 'amenity', consideration should be given to the effect of an advertisement on visual amenity in the immediate neighbourhood where it is to be displayed. Relevant considerations when assessing the impact on visual amenity include the local characteristics of the neighbourhood; including the scale and massing of existing structures. The Annex to PPG19, which sets out the criteria for deciding applications and appeals involving poster sites, states that poster panels displayed on the flank wall of a building should not be unduly dominate and should be so designed and positioned as to be seen as an integral feature of the building. In determining whether, on grounds of amenity, the display of a poster panel is appropriate on the building, "the most important criterion is the overall visual effect of the display upon the entirety of the building". When assessing the impact of an advertising display on public safety, the Annex recognises that advertising displays are intended to draw attention, and that "the vital consideration is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety".

- 7.4 UDP Policy IMP.4.2 sets out a number of criteria to be taken into account when considering development proposals along the Great West Road, including the visual appearance of the development and its contribution to enhancing the role of the Great West Road as London's primary 'Gateway' to and from the rest of the world. This is supported in the BAAP.
- 7.5 Policy ENV-B.1.1 (New Development) seeks to ensure that any development is compatible with the character of the area and enhances it in terms of size, scale, materials and design. Amongst other things it states that development proposals should "...make a positive contribution to the overall environmental quality" and "comply with all appropriate planning policies and guidelines".
- 7.6 Policy ENV-B 2.2 states that the Council will preserve and enhance the character or appearance of existing Conservation Area by ensuring that any development affecting a Conservation Area preserves and enhances the character of that area.
- 7.7 Policy ENV-N 1.5 seeks to safeguard the permanence and integrity of the Metropolitan Open Land within the borough. The main relevant features of the Metropolitan Open Land of Gunnersbury Park and Carville Park are extensive areas of recreational open space. Policy ENV-N 1.7 seeks to ensure that any development in areas near the Metropolitan Open Land boundary must be designed so that it does not detract from the open aspect or visual amenities of the Metropolitan Open Land. Particular attention needs to be paid to building, siting, materials, height, design and landscaping sympathetic to Metropolitan Open Land. Policy ENV-N 1.16 states that development will not normally be permitted which would adversely affect the site, setting or views to and from historic parks and gardens.
- 7.8 Policy ENV-B.1.4 seeks to ensure that all advertisements are aesthetically compatible with the surrounding area and do not detract from the appearance

of a locality. Advertisement consent will be refused if the advert would adversely affect pedestrian safety or the safety and free flow of traffic.

- 7.9 The Great West Road Strategy was published in 1993. The document outlines a 'vision' for the Great West Road to 'improve the physical, natural and visual environment and recreate a unique built environment, whilst preserving and enhancing the original buildings and features of the road which make a significant contribution to the historic and architectural character of the area', and to 'enhance the role of the Great West Road as London's Gateway. This has been incorporated into the BAAP.

### **The effect of the proposal on the local townscape/landscape and amenity**

- 7.10 It is not considered that this proposed retention, by reason of its location adjacent to an area of Metropolitan Open Land and within a Conservation Area, and its excessive and unjustified scale, contributes positively to the locality.
- 7.11 Whilst it is acknowledged that sites along the A4/M4 corridor have been vacant for some time, it is considered that the nature of the area is changing. From a situation in 2002/2003 where the area had an air of dereliction around it and Inspectors granted consent, the recent building of GSK, the Paragon, the Audi garage and the Wallis house and North Brentford Quarter re-development is changing the image of the area. The free standing panel is displayed solely to attract attention to the advertisement, and does not to perform any function in the improvement of the streetscape.
- 7.12 The Great West Road has large areas of commercial development alongside it, from its history as The Golden Mile. Now that this area is undergoing re-development, the advert is totally incongruous with the area.
- 7.13 The proposal represents unduly assertive poster advertising of a scale that is inappropriate and unjustified. The advertisement has a significant and unacceptable impact on views along the Great West Road and from the surrounding Conservation Area and Metropolitan Open Land, contrary to the provisions of the development plan. The advertisement has been sited solely to maximise the impact in respect of the intended audience (i.e. motorists on the Great West Road) with no regard for the street scene and Conservation Area and Metropolitan Open Land environment within which it is set. The internal illumination of the site also serves to accentuate the inappropriate presence of the advertisement at night.
- 7.14 The regeneration of Brentford and improvement of the appearance of the Great West Road and the quality of the pedestrian and local environment generally along this important route to London is a key Council objective reflected in Unitary Development Plan Policies, BAAP and Supplementary Planning Guidance. It is not only the unsightly appearance of the derelict sites adjoining the corridor and the imposing M4 flyover in this location, but also the proliferation of poster sites and large scale advertising hoardings that serve to

detract from the environmental quality of the area. This has recently been upheld on appeal. At Alfa Laval APP/F5540/A/07/1202299 00505/Z/P32 and APP/F5540/A/07/1202286 00505/Z/AD29 dated 14 March 2008, the Inspector considered at para's 7 and 8 that the townscape of the Great West Road was being improved by the re-developments that were taking place, and that the signs would be excessive and harmful to the visual amenity of the area. Also of significance is the appeal decision ref APP/F5540/A/07/1201754 00505/V/P51 and APP/F5540/H/07/1201743 and 00505/V/AD16 at the Kew Distribution Centre, west on the A4/M4. The Inspector considered that an additional advertisement display would result in an excess of dominant advertising material. She considered the proposed advertisement would harm the visual amenities of the area by being jarring and intrusive. Consent was dismissed to display adverts on Vantage West on 9.3.07 ref APP/F5540/H/06/1197980 00505/F/AD36. The Inspector was concerned about the setting and views of the Conservation Area and Grade II\* historic park, and felt that the proposed advertisement would have a detrimental impact on the visual amenity of the cemetery and views out of the Conservation Area.

- 7.15 Commitment to improving the quality of the environment along the Great West Road is reflected by the commissioning of an 'inception study' for the "Golden Mile" in May 2001 with SRB funding from the Green Corridor Partnership; key partners were the London Borough of Hounslow, West London Business, Transport for London, the Highways Agency, GSK, London and Bath Estates and Green Corridor. The inception study was produced by land use consultants to provide a baseline assessment of existing conditions, identify constraints and opportunities, and provide a platform for developing a detailed and much needed Enhancement Strategy for the A4. Green Corridor are currently advising Transport for London on the development of a brief for a detailed strategy for the Golden Mile (Boston Manor Road to Chiswick roundabout) which would identify costed improvement opportunities. Enforcement action is being undertaken to remove all unauthorised advertisements along the Great West Road, and the owners of this unauthorised sign have already been asked to remove it.
- 7.16 The site is within Gunnersbury Park Conservation Area, and the Metropolitan Open Land of Gunnersbury Park, which is also a Grade II\* historic park. The retention of the unauthorised internally illuminated advertisement is not considered to preserve or enhance the Conservation Area. It would also detract from the visual amenity of the Metropolitan Open Land, and historic park. The Conservation Area appraisal sets out the pressures facing Gunnersbury Park Conservation Area.
- 7.17 It is considered that the continued retention of the unauthorised illuminated advertisement deteriorates the quality of the environment in this area, and undermines the Council's objectives with regard to enhancing this section of the Great West Road, and in preserving and enhancing Conservation Areas and the visual amenities of Metropolitan Open Land and historic parks.

**7.18 For the above reasons it is considered that the retention of the 96 sheet panel advertisement, by reason of its excessive size and illumination in this area, would substantially harm the amenity of the Conservation Area and Metropolitan Open Land and historic park, and the proposal is contrary to the Council's UDP policies, SPG and the guidelines contained within PPG19 and therefore the intent of the Advertisement Regulations.**

### **Highway / public safety considerations**

7.19 Circular 3/2007 defines the main types of advertisements which may cause danger to road users are b) those which, because of their size or siting, would obstruct or confuse a road user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road users because of their unusual nature.

7.20 It is accepted that an advertisement does not automatically represent a distraction to drivers by virtue of the fact it is visible from the motorway. However, Government guidance clearly envisages some situations where, even if a driver were paying due care and attention, a slight distraction caused by an advertisement would be potentially dangerous. Circular 3/2007 states that 'particular consideration should be given to proposals to site advertisements at points where drivers need to take more care, for instance at junctions, roundabouts.... or other places where local conditions present traffic hazards.'

7.20 This advertisement is just before the busy intersection of Chiswick roundabout, and the left turn along Larch Drive to the A406 North Circular Trunk road. Drivers need to take care to be in the right lane as they approach the roundabout, as the A4 goes from 3 to 2 lanes. There is also a bus stop on the road. The advertisement here is a distraction. At present, the unauthorised advertisement is static. However, it may change to be scrolling, or lateral changes, or even LED, where the display could change every 5 seconds. It is recommended that the proposal be refused on road safety grounds. It is considered that the retention of this large illuminated advertisement, which could be a moving advertisement, would be detrimental to highway safety and contrary to the Council's UDP policies and the guidelines contained within PPG19.

## **8.0 CONCLUSION**

8.1 For the reasons given above, it is considered that the proposal would be detrimental to the interests of local visual amenity and would prejudice highway safety. With reference to the previous sections, it has been demonstrated that the proposal does not succeed in satisfying the respective policies within the Unitary Development Plan (2003), BAAP, SPG or the provisions contained within the Department of the Environment: Planning Policy Guidance relating to advertisements.

8.2 Refusal is therefore recommended. In addition, renewed efforts should be made to remove the unauthorised advertisement

## 9.0 RECOMMENDATION:

**REFUSAL** for the following reasons

### Reasons:

1. The retention of the internally illuminated advertisement, by reason of its location, excessive size, position and appearance, would dominate and detract from the visual amenity of the residential locality contrary to the guidance contained in PPG19 Outdoor Advertisements, the Town and Country (Control Of Advertisements) Regulations 2007, and Policies IMP.4.2 (The Great West Road), ENV B.1.1 (New Development), ENV-B 2.2 (Conservation Areas), ENV-N 1.5(Protection of Metropolitan Open Land), ENV-N 1.7 (Development near the Metropolitan Open Land boundary), ENV-N 1.16 (Historic parks and gardens) and ENV B.1.4 (Advertisements) within the Adopted 2003 Unitary Development Plan, SPG and emerging policy in the BAAP.
2. The retention of the internally illuminated advertisement would be detrimental to the interests of highway safety and contrary to the guidance contained in PPG19 Outdoor Advertisements, The Town & Country (Control Of Advertisements) Regulations 2007, Circular 03/2007 and Policies ENV B.1.1 (New Development), ENV B.1.4 (Advertisements), and T.4.4 (Road Safety) of the Unitary Development Plan.

**Informative:** The advertisement is being displayed without consent and is unauthorised. If it is not removed voluntarily, the LPA will take action to remove it.