

Marilyn Smith : Tel 020 8583 4994
e-mail: marilyn.smith@hounslow.gov.uk

References: P/2008/2365 00505/EY/P11
P/2008/2362 00505/EY/AD6

Address: Land at Junction of Gunnersbury Avenue and
Chiswick Roundabout, Chiswick

Ward: Turnham Green

Proposal: A. Retention of an advertising tower with additional
cladding for a temporary period of 2 years to
site

B. Retention of 2 x advertising display units each
7.5m x 5m including internal lighting to site

Drawing numbers: Drawing numbers 452-000-31A and 3 unnumbered
cladding options, received 18.7.08

Application received: 18 July 2008

1.0 SUMMARY

- 1.1 The proposal is to retain an existing advertising tower and clad it on four sides. On 2 sides, it will be used to display two internally advertisement panels visible to both eastbound and westbound from the elevated section of the M4 and further afield.
- 1.2 It is considered that the scale and intensity of advertisements and would be a hazard to drivers elevated on the M4.
- 1.3 It is considered that the design, scale and illumination of the advertisement panels on a clad structure would be detrimental to the visual amenity of the area as a whole, and in particular the surrounding Conservation Areas.

2.0 SITE DESCRIPTION

- 2.1 The application site is a vacant block of land 0.23 hectares located adjacent to Chiswick roundabout. The site is roughly triangular in shape and is bounded by the Great West Road (A4), the North Circular Road (A406) and Larch Drive. It is effectively an 'island' with roads on all sides of the site. It is vacant but has planning approval for redevelopment for a 13-storey commercial office building.
- 2.2 The apex of the site fronts Chiswick Roundabout which is a major road intersection. Here, the A4 (Great West Road), A406 (North Circular), A315 (Chiswick High Road) and A205 (South Circular) all converge. Further, the M4

is elevated above the roundabout to the south of the application site. On the northern side of Larch Drive lies a large surface car park servicing a retail warehouse (B & Q), which has a railway line at the rear. Beyond the railway line are Kensington Cemetery and Gunnersbury Park. On the eastern side of Gunnersbury Avenue opposite are various commercial uses, the most prominent being a large car showroom with a parking/sales area to its frontage onto Chiswick Roundabout. Adjacent to this is a 5-storey office building.

2.3 The most dominant built feature in the immediate vicinity is the M4 motorway flyover built in the 1960s, above the A4. On the southern side of the A4/M4 is a petrol filling station with a large overhead forecourt canopy, and a variety of 3 storey offices and shops on Chiswick High Road leading to Kew Bridge, passing the Fountains Leisure Centre.

2.4 At present there are 9 separate hoarding signs around the perimeter of the site as well as a tower structure in the centre of the site that contains two advertisement panels signs. All of the existing signs are internally illuminated. One recently erected structure displays LED advertisements. 9 advertisements were granted consent on appeal for a temporary period, expiring on 6 March 2010, although the LED structure currently displayed is part of a different structure to that granted temporary consent in 2008. In addition, the display is moving, in breach of condition 3 of that consent. Permission to retain the unauthorised tower structure was refused.

2.5 A railway line separates the application site and B & Q store from the Kensington and Chelsea cemetery, and the openness of Gunnersbury Park to the north, within Gunnersbury Park Conservation Area, and an area of Metropolitan Open Land. Opposite the site on the eastern side of the A406 Gunnersbury Avenue is Power Road Industrial Estate, designated as a Strategic Employment Location in the Unitary Development Plan, and the residential development of Thorney Hedge Conservation Area. Opposite the site on the southern and eastern side of Chiswick High Road are residential dwellings within Wellesley Road Conservation Area. South of this is Strand on the Green Conservation Area, a residential area fronting the river Thames (which in itself is designated Metropolitan Open Land), and adjacent to this is Kew Bridge Conservation Area. On the southern side of the River Thames, to the south west of the application site is the World Heritage site of Kew Gardens.

2.6 The site is identified as being within a Green Corridor

3.0 HISTORY

3.1 Recent applications on the site are:

00505/EY/P1	Erection of a 26 storey building comprising office building, restaurant, viewing gallery, basement parking and ancillary uses (The Pinnacle)	WITHDRAWN 09/08/2000
00505/EY/P2	Erection of a thirteen storey building comprising office	REFUSED 05/04/2001

	building with basement car parking and associated landscaping (Tricorn)	
00505/EY/P3	Redevelopment of site for 13 storey office building and associated parking of 95 spaces. (Amended plans received showing full details of design, siting, access and external appearance). (Outline application.) (The Citadel)	APPROVED Subject to legal agreement signed 9 th January 2002 08/01/2002
00505/EY/P4	Redevelopment of site for offices and increase of associated parking from previous approved 75 spaces to 184 spaces (Outline)	REFUSED 18/04/2002
00505/EY/P5	Erection of thirteen storey building comprising office building with basement car parking of 140 carparking spaces (Outline Application) (The Citadel)	APPROVED Subject to legal agreement signed 9 th September, 2002. 10/09/2002
00505/EY/P6	Erection of advertising tower.	REFUSED 04/03/2003. This was subsequently allowed on APPEAL in November, 2003, for a period of 3 years, after which it should be removed
00505/EY/AD1	Retention of seven non-illuminated 48 - sheet static advertisement hoardings, six non-illuminated 96 - sheet static advertisement hoardings, and one non-illuminated 'Difference' static advertisement hoarding.	ADVERT APPROVAL 10/09/2002 for a period of 18 months only, expiring on 10/03/2004, when the advertisements should be removed
00505/EY/AD2	Retention of seven illuminated 48 - sheet, six illuminated 96 sheet static advertisement hoardings and one illuminated 'difference' static advertisement hoarding	ADVERT - ADVERT REFUSAL 23/01/2003 This was subsequently allowed on APPEAL in November 2003, for a period of 3 years, after which they should be removed.
00505/EY/P7	Erection of 16 storey building for use as 264 flats and offices	REFUSED 2004
00505/EY/P9 (00505/EY/P8 for a similar application was refused for the	Erection of a 5 storey office building comprising office / showroom at ground level and 9 panels projecting from the sides and roof of the proposed	REFUSED 16.09.05 for the following reasons If permitted, the proposed panels and hoardings would cause clutter and visual blight in

<p>same reasons, but the appeal withdrawn)</p>	<p>building to a maximum height of 44m above ground level</p>	<p>this location, visible from the Metropolitan Open Land to the north and Conservation Areas to the east and south, and also be out of character with the surrounding areas, contrary to Policy Env-B.1.1, ENV-B 2.2 and ENV-B 1.4 of this Council's adopted Unitary Development Plan.</p> <p>The proposed panels, by virtue of their size, position, design and appearance and because of the architectural inappropriateness of the panels and light pollution emanating from the panels, would have an unacceptable impact on local amenity and views, and would not be compatible with the surrounding area. The panels and hoardings are therefore contrary to contrary to policies ENV-B 1.1, ENV-B 1.2 and ENV-B 1.4 of the Council's Unitary Development Plan</p> <p>DISMISSED ON APPEAL 16.9.07</p>
<p>00505/EY/AD4 (00505/EY/AD3 for a similar application was refused for the same reasons, but the appeal withdrawn)</p>	<p>Installation of seven internally illuminated LED screens for advertisements, 3 at ground level on free standing hoardings, and 4 on panel structures rising from a proposed 5 storey office building</p>	<p>REFUSED 16.09.05 for the following reasons</p> <p>The advertisement hoardings, because of the architectural inappropriateness of the panels and light pollution emanating from the signs, would have an unacceptable impact on local amenity and fail to have regard for amenity in accordance with the Town & Country Planning (Control of Advertisement) Regulations 1992 and also be contrary to Policy Env-B.1.4 of this Council's adopted UDP.</p> <p>The proposed signs, by virtue of their size, position, design and appearance would result in advertising that would damage the visual amenity and would not be compatible with the surrounding area. The signs are</p>

		<p>therefore contrary to policies ENV-B 1.1 and ENV-B 1.4 of the Council's Unitary Development Plan</p> <p>The advertisement hoardings, because they would represent a potential distraction to motorists, would be detrimental to general road safety conditions on the M4 elevated motorway, A4 eastbound, A406 North Circular and operation of Chiswick roundabout, and fail to have due regard for public safety in accordance with the Town & Country Planning (Control of Advertisement) Regulations 1992, PPG 19 and would also be contrary to Policy Env-B.1.4 and T 4.4 of the Council's adopted UDP.</p> <p>DISMISSED ON APPEAL 16.9.07</p>
00505/EY/P5(a)	Reserved matters for 00505/EY/P5	Approved June 2006
00505/EY/P10 and AD5	Retention of advert tower and 11 advertisements	<p>Refused May 2007.</p> <p>9 hoardings at A4 levels allowed on appeal for 2 years (expiring 6 March 2010). Condition 3 requires advertisement displays to be static.</p> <p>Retention of advertisement tower dismissed on appeal 6 March 2008</p>

3.2 At its meeting on 6 August 2008, Chiswick Area Planning Committee authorised enforcement action be taken to remove the unauthorised tower. Advertisements are no longer being displayed from the tower, although the panels remain in place.

4.0 DETAILS

Planning application

- 4.1 It is proposed to retain the tower that supports 2 advertisement hoardings. This tower, erected since November 2005, is 17m high. It is V-shaped, with each arm being 5.8m long. This tower is shown to be 13.5m from the road of the A4, and 22.5m from the elevated section of the M4. The proposal is to clad the tower on four sides. 3 options are suggested for the cladding by the applicant. They are timber cladding, metal cladding and mesh cladding. The elevations fronting Larch Drive and the A406 North Circular would be blank.

Advertisement application

- 4.2 Advertisement panels 7.5m high and 5.5m wide, internally illuminated, would be installed within the cladding to face drivers eastbound and westbound on the elevated M4.

5.0 CONSULTATIONS

- 5.1 Nearby residents were notified on 30 July 2008. Three replies were received, from West Chiswick and Gunnersbury Society, Grove Park Group and from Chiswick Protection Group.

Comment	Response
The Inspector in the 2006 inquiry considered advertisements at M4 level to be a danger to drivers at M4 and A4 level	Agreed
Policy basis for refusal in 2006 still remain	Agreed. Additional policies in BAAP
The existing advertisement tower is an eyesore, and enforcement action has been agreed to remove it. This application is an attempt to delay enforcement.	Agreed
The tower does not enhance or promote the immediate area, or the adjacent Thorney hedge and Wellesley Road Conservation Areas. It demeans these areas	Agreed

- 5.2 Transport for London have no objections to the application.
- 5.3 Highways Agency do not object to the tower. In terms of the advertisements Highways Agency gave evidence at the recent informal hearing, determined under the 2007 circular. The Inspector determined at that hearing that there was no impact on public safety. Highways Agency are of the view that to continue to object on highways grounds would not be reasonable in this location for these advertisements.

6.0 POLICY

6.1 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 were subject to Examination Hearings in March and April 2008 respectively. The authority has also adopted two 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 Great West Road are particularly relevant.

Unitary Development Plan

- 6.3 Relevant policies are:

IMP.4.2	The Great West Road
ENV-B.1.1	All New Development
ENV-B.1.4	Advertisements
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
ENV-N 2.9	Green Corridors
T.4.4	Road Safety

6.4 Relevant SPG

Conservation Area Statements SPG

Conservation Area Appraisals – draft for Consultation 2006

6.5 London Plan

- 3B.1** Developing London's Economy
- 4B.1** Design Principles for a compact city
- 4B.4** Enhancing the Quality of the Public Realm
- 4B.7** Respect Local Context and Communities
- 4B.10** London's Built Heritage
- 4B.11** Heritage Conservation

6.6 Brentford Area Action Plan policy BAAP Great West Road .

7.0 PLANNING ISSUES

Assessment framework

- 7.1 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'.
- 7.2 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 Areas 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.
- 7.10 The main planning issues to consider for these applications are:
1. Previous appeal decision
 2. Use of the site for display of advertisement and tower
 3. Visual amenity of advertisements and tower in this location
 4. Public Safety issues

Previous appeal decision

- 7.11 On 6 March 2008, the Inspector dismissed the appeal to retain the existing tower and advertisements. At para 10, he commented “ I consider the tower is a crude, bulky structure and tall structure that is visually obtrusive. Together with the signs attached to it, the result in my opinion appears as a clumsy and unduly prominent feature. I found the adverse visual impact of the tower and advertisements to be apparent in the immediate vicinity of the site, from the motorway, and in longer distance views including from nearby Conservation Areas.” At para 11 “I consider the tower and high level advertisements stand out as intrusive features that are harmful to amenity. As such these proposals are contrary to the saved Unitary Development Plan policies referred to above.”

Use of site for display of advertisements

- 7.12 The site falls within a strategic employment area in the London Plan. It is a preferred location for B1 uses. An extant permission exists on the site for a 13-storey office building, which has been implemented. The proposed location of this tower is within the area that would form part of the office building, should implementation be continued.
- 7.13 The site is an employment zone, although at the eastern apex. Because of its location and siting, it could not be considered to be in a modern commercial district. To the north is Gunnersbury Park and cemetery, and area of Metropolitan Open Land and falling within a Conservation Area. To the east are Conservation Areas of Thorney Hedge Road and also of Wellesley Road. To the south are the Conservation Areas of Strand on the Green and Kew Bridge, and the World Heritage site of Kew Gardens. Thus, to the north, east and south of the site, the areas are mostly low level residential in nature, much of which is within Conservation Areas. Travelling east along the M4, as many visitors do to enter into London, this is a transition point, where the short commercial area of high-level office buildings on either side of the elevated M4 and along the A4 has ceased and the leafy residential suburb of Chiswick begins.
- 7.14 The area to the west and southwest is more of an established commercial area, mixing traditional industrial uses with newer commercial sites along the Great West Road. Travelling west, an area of higher level commercial buildings commences with Vantage West on the northern side of the elevated M4, backing onto Gunnersbury Park. The southern side of the elevated M4 is still lower level commercial buildings for a further distance. The area of commercial uses is a ribbon, stretched along the main A4 / elevated M4 route. The display of advertisements at high level is not considered to be appropriate in this location.
- 7.15 The scale and illumination of the advertisement displays is visible over a large area, and impinges on residential areas, much of which have been designated Conservation Areas by virtue of their design, layout and distinct historic and architectural character. The tower structure is used to support structures to display advertisements, which are out of character with the scale and use of the surrounding areas.

7.16 It is contended that the primary purpose of this site has become to display advertisements at this major road intersection. Policy ENV-B 1.4 of the Unitary Development Plan states that all advertisements are to be of a size, design, scale and degree of illumination which is compatible with the surrounding area. Advertisement consent will not be granted if this would result in a proliferation of advertisements and signs or would adversely affect the visual amenity of an area. Advertisements will not normally be permitted in sensitive locations such as areas of high townscape, architectural or historic value or residential areas. It is considered that this site is inappropriate for the tower structure and the display of poster panel advertisements set on hoardings. It is an employment site, and the clutter of the advertisements detracts from the amenity of existing employment uses in the area. Retention of the tower prevents the full implementation of the site being developed for the approved offices, as they cover the same area.

7.17 Purpose built structures to display advertisements have been allowed on appeal by the elevated M4. The 2 towers at the western end of the M4 were considered by Inspectors to have some architectural merit. They are slim line design, and set within an area of high buildings. The third purpose built structure, the Torch, is also slim line design, and of a colour and scale to merge in with the Vantage West building adjacent. Structures that do not have this small scale and simplicity, such as at Tie Rack and vantage West, have been refused on appeal by Inspectors, in June 2006 and February 2007. The tower structure has no architectural merit and is simply a construction upon which to hang advertisements. It is visually obtrusive, and out of character with the area.

Visual Amenity of the Existing Advertisement Hoardings

7.18 The 2 high level advertisements are intended to attract the attention of motorists on the elevated section of the M4. Due to their height and orientation, they are visible over a wide area. The illumination of the panels exacerbates their prominence and far reaching views. As outlined in paragraph 7.3 above, the site is almost surrounded by Conservation Areas, Metropolitan Open Land and Historic Parks. Policies ENV-N 1.15 and 1.16 state that development would not normally be permitted which would adversely affect the site, setting or views to and from historic parks and gardens. ENV –N 1.7 states that any development proposal in areas near the MOL boundary and conspicuous from within it must be designed so that it does not detract from the open aspect or visual amenities of the MOL. Particular attention needs to be paid to building, siting, materials, height, design and landscaping sympathetic the MOL. It is considered that the scale and prominence of the advertisement panels and the tower and hoardings upon which they stand results in a loss of visual amenity.

7.19 When approaching the site from the west, such as visitors to London arriving from Heathrow Airport, the view at present is one of a leafy suburb. There is high level office development on the Golden Mile, such as the GSK headquarters, the Paragon building under construction for Thames Valley University, and Vantage West. There are effectively 2 clusters of advertisements that have been allowed. The Van Wagner and JC Decaux advert towers by 1000 Great West Road, and the two smaller advertisements of the Torch and Tie rack opposite. After this, development along the M4

elevated section is small scale, and tree covered. Policy ENV-B 2.8 seeks to protect Views and Landmarks. The high level adverts adversely affect views along the M4 corridor, and the ground level adverts adversely affect views around Chiswick roundabout, and along the North Circular, particularly when approaching the site from the north.

- 7.20 Policy ENV-B 1.2 states that the erection of buildings or other structures will normally be refused where they significantly exceed the height of their surroundings or where it would result in significant harm to the MOL, residential areas, Conservation Areas, Thames Riverside areas and local parks and open spaces.
- 7.21 The site forms part of the A4 / M4 Green Corridor, identified to form visual and vegetated links. The higher level advertisements detract from this, contrary to policy ENV-N 2.9
- 7.22 In the 2006 appeal decision, the Inspector considered that the proposed advertisements would have an adverse effect on the character and appearance and amenity of the surrounding area. Whilst that scheme was greater in scale and illumination, the Inspector considered that the proposals would be seen from the Thorney Hedge and Wellesley Road Conservation Areas, and would appear as a dominant and discordant feature from the cemetery. It would monopolise the roundabout through its siting and its size. The advertisement panels have a significant and unacceptable impact on views along the M4 in both directions, the North circular and at ground level in the vicinity of the roundabout.
- 7.23 In the 2003 appeal decision on the site, the Inspector considered at para 20 that the visual harm from the area results directly from the ugly ramshackle tower structure that holds up the advertisements. In the 2008 decision the Inspector considered the tower to be a crude, bulky structure that is visually obtrusive. With the signs attached to it, it is a clumsy and unduly prominent feature. The tower and high level advertisements stand out as intrusive features that are harmful to amenity. Cladding the existing tower will not reduce its intrusiveness in the area
- 7.23 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.
- 7.24 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 adverts are totally incongruous with the area.
- 7.25 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 Areas and Metropolitan Open Land, contrary to the

provisions of the development plan. The advertisements have been sited solely to maximise the impact in respect of the intended audience (i.e. motorists on the elevated M4) with no regard for the street scene and Conservation Area and Metropolitan Open Land environment adjacent to which it is set. The internal illumination of the site also serves to accentuate the inappropriate presence of the advertisement at night, particularly if it is LED.

- 7.26 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. As well as the appeal decision on this site from March 2008, referred to above, there have been a number of other appeal decisions on advertisements on the M4 recently. 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, on the opposite side of 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.
- 7.27 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 tower have already been asked to remove it. An enforcement notice has been served to seek removal of the unauthorised tower.

7.28 The site is close to Gunnersbury Park Conservation Area, Metropolitan Open Land and historic park to the north. Wellesley Road Conservation Area is opposite the area, and Thorney Hedge, Strand on the Green and Kew Bridge Conservation Areas are nearby. The retention of the unauthorised internally illuminated advertisements are not considered to preserve or enhance the Conservation Areas. They 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. Cladding the tower will not affect the impact of the advertisements, as considered by the Inspector in March 2008.

7.29 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. The application is silent on the means of illumination of the advertisements. It is clear that LED advertisements are much brighter than the previously standard fluorescent tube lighting. They can also change frequently. The applicant has installed an LED lit sign without consent elsewhere on this site. The images change frequently on this panel, in breach of condition 3 of the consent to display advertisements (should this new structure be considered to fall within the inspectors approval)

7.30 For the above reasons it is considered that the retention of the advertisement panels, and the cladding of the tower, by reason of their position, size and illumination in this area, would substantially harm the amenity of the Conservation Areas and Metropolitan Open Land and historic park, and the proposal is contrary to the Council's UDP policies, BAAP policies, SPG and the guidelines contained within PPG19 and therefore the intent of the Advertisement Regulations.

Public Safety Issues

7.31 In March 2008, an Inspector on appeal did not find that the retention of 2 advertisement panels on a tower in this location would harm public safety.

7.32 The Inspector in the 2006 decision on the site considered the adverts to present a public safety risk. Inspectors have refused other elevated advertisements along this stretch of M4, such as at Tie rack, on public safety grounds. Whilst an Inspector may have found that the existing advertisements do not harm public safety, these static advertisements could change to LED which is increasing in luminance and can be frequently changing images. It is considered that such advertisements on the elevated M4 are detrimental to public safety

7.33 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 sitting, 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.

- 7.34 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.'
- 7.35 These advertisements may be LED. That is, the displays can change constantly, as is experienced at The Torch and the advertisements by Rivers House on Kew Bridge. These advertisements are at the busy intersection of Chiswick roundabout. Drivers need to take care to be in the right lane as they exit the M4 westbound. Moving advertisements here would be a distraction. It is recommended that the proposal be refused on road safety grounds. It is considered that the installation of these large advertisements which may have LED technology and change frequently, would be detrimental to highway safety and contrary to the Council's UDP policies and the guidelines contained within PPG19.
- 7.36 A number of appeals support this.

8.0 CONCLUSION

- 8.1 The site has consent for a 13-storey office building, which cannot be fully implemented whilst the tower remains on site.
- 8.2 The retention of the illuminated advertisement panels is considered to result in a loss of visual amenity. They are visible over a large area. The site is within a Green Corridor, and surrounded by sensitive areas such as residential, Conservation Areas, Metropolitan Open Land, Historic Parks, and is close to a World Heritage Site.
- 8.3 The advertisements may be LED and moving. They may be a distraction to motorists at the elevated section of the M4, resulting in conditions prejudicial to highways safety
- 8.4 For the reasons given above, it is considered that the proposal would be detrimental to the interests of local visual amenity and may prejudice public 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.

9.0 RECOMMENDATION:

REFUSAL, for the following reasons

Proposal A tower

1. The tower, by virtue of its size, position, design and appearance, causes clutter and visual blight in this location, visible from the Historic Park and Metropolitan Open Land to the north, residential and Conservation Areas to the north, east and south, being out of character with and damaging the amenity of, the surrounding areas, contrary to advice in PPG 19 and Policies Env-B.1.1, ENV-B 1.2, ENV-B 2.2, ENV-B 2.9, ENV-B 1.4, ENV-N 1.7, ENV-N 1.15, ENV-N 1.16 and ENV-B 2.8 of this Council's adopted Unitary Development Plan, Brentford Area Action Plan and London Plan policies.
2. The tower, by virtue of its size, position, design and appearance has an unacceptable impact on local amenity, and would not be compatible with the amenity of the surrounding area. The tower is therefore contrary to PPG 19 and policies ENV-B 1.1, ENV-B 1.2, ENV-B 1.4, ENV-B 2.2, ENV-N 1.7, ENV-N 1.15 and ENV-N 1.16 of the Council's Unitary Development Plan, Brentford Area Action Plan and London Plan policies.

Proposal B advertisements

1. The internally illuminated advertisement hoardings, by virtue of their size, position, design and appearance, cause clutter and visual blight in this location, visible from the Historic Park and Metropolitan Open Land to the north, residential and Conservation Areas to the north, east and south, being out of character with and damaging the amenity of, the surrounding areas, contrary to advice in PPG 19 and Policies Env-B.1.1, ENV-B 1.2, ENV-B 2.2, ENV-B 2.9, ENV-B 1.4, ENV-N 1.7, ENV-N 1.15, ENV-N 1.16 and ENV-B 2.8 of this Council's adopted Unitary Development Plan, Brentford Area Action Plan and London Plan policies.
2. The advertisement hoardings, because they may have moving images and high luminance, represent a potential distraction to motorists, which would be detrimental to general road safety conditions on the M4 elevated motorway, and fail to have due regard for public safety in accordance with the Town & Country Planning (Control of Advertisement) Regulations 2007, PPG 19 and would also be contrary to Policies Env-B.1.4 and T 4.4 of the Council's adopted Unitary Development Plan, Brentford Area Action Plan and London Plan policies.