

## DELEGATED

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<b>References:</b>	P/2008/1217	01217/r/o90-92/AD1
<b>Address:</b>	Former Performance Cars site, rear of 90-92 Windmill Road, Brentford	
<b>Ward:</b>	Brentford	
<b>Proposal:</b>	Retention of internally illuminated 96 sheet advertisement panel	
<b>Drawing numbers:</b>	ODP 108 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 96 sheet 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 90-92 Windmill Road was once used as a sales and repair site for Performance Cars. The site is vacant, and has been for a number of years. It is adjacent to residential dwellings on Windmill Road, and residential dwellings of Boston Park Road back onto the site. Opposite the site is a Toyota car showroom. Other than this, the area is predominantly residential.
- 2.2 The rear gardens of houses on Boston park Road, and the side of 90-92 Windmill Road front the footpath / cycle path of the Great West Road, at a point where the M4 is elevated above. The advertisement is displayed on the wall of No 90-92, facing the A4 Great West Road. There is a bus stop by the hoarding.
- 2.3 The A4 is managed by TfL and elevated M4 is managed by the Highways Agency.
- 2.4 The area surrounding the site, on both sides of the A4 / M4 is predominantly residential.

### **3.0 HISTORY**

3.1 There is no planning history for this advertisement

### **4.0 DETAILS**

4.1 Advertisement consent is sought to retain the advertisement display. The landscaped shaped panel is a 96 sheet panel. The whole panel is attached to the wall with a solid base, which has underground electrical connections for the internal illumination.

4.2 It is internally illuminated. The current display is static

### **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 consider that this is a domestic environment where additional advertisements should be resisted

### **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**

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

**IMP.4.2**            The Great West Road

**ENV-B.1.1**        All New Development

**ENV-B.1.4**        Advertisements

**T.4.4**              Road Safety

## **7.0 PLANNING ISSUES**

7.1 Planning issues to consider are:

- The effect of the proposal on the local townscape/landscape 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.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.
- 7.7 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**

- 7.8 It is not considered that this proposal, by reason of its location adjacent to residential properties and its excessive and unjustified scale, would contribute positively to the locality..
- 7.9 Whilst it is acknowledged that the site is vacant, it is not considered that this advert panel attached to the boundary wall plays any part in screening the site, or helping to improve the area. Rather, it is a free standing panel displayed solely to attract attention to the advertisement, and not to perform any function in the improvement of the streetscape.
- 7.10 The Great West Road has large areas of commercial development alongside it, from its history as The Golden Mile. It also has a number of residential areas that front it, and have access directly off it. Windmill Road is one such residential road, that leads to a wholly residential area to the north of the Great West Road. The advert display is close to the bottom of residential gardens. It is totally incongruous with the residential area that it adjoins. The advert on the side of the road brings the commercial area into the residential, contrary to policy ENV-B 1.1.
- 7.11 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 residential area, 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 urban environment within which it is set. The internal illumination of the site would also serve to accentuate the inappropriate presence of the advertisement at night.

- 7.12 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.
- 7.13 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.
- 7.14 It is considered that this proposal to retain the unauthorised advertisement would further deteriorate the quality of the urban environment in this area and undermine the Council's objectives with regard to enhancing this section of the Great West Road.
- 7.15 For the above reasons it is considered that the retention of the poster panel advertisement, by reason of its excessive size in this residential area, would substantially harm the local townscape / landscape and amenity, and the proposal is contrary to the Council's UDP policies and the guidelines contained within PPG19 and therefore the intent of the Advertisement Regulations.**

## **Highway / public safety considerations**

- 7.16 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.
- 7.17 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.'
- 7.18 This advertisement is at the busy junction with Windmill Road. Drivers need to take care to be in the right lane, and 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, 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), and ENV B.1.4 (Advertisements) within the Adopted 2003 Unitary Development Plan 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.