

Appeal Decision

Site visit made on 13 March 2017

By J L Cheesley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07 April 2017

Appeal Ref: APP/T2215/Z/17/3168139

Land adjacent to 361 Princes Road, Dartford, Kent DA1 1LN

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Insite Poster Properties Ltd against the decision of Dartford Borough Council.
 - The application Ref DA/16/01580/ADV, dated 27 September 2016, was refused by notice dated 29 November 2016.
 - The advertisement proposed is the replacement of an existing 48-sheet advertising display with a 48-sheet digital display.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on highway safety.

Reasons

3. The proposed advertisement would replace an existing externally illuminated static 48-sheet advertisement display at a slightly different angle. I understand that this existing advertisement, together with the adjacent 96-sheet advertising display benefit from deemed consent.
 4. The appeal site lies close to a busy major urban road junction where on-coming traffic travelling west has to negotiate separating into two lanes at the traffic light junction and where there are pedestrian crossing points.
 5. The display would present a range of static images. A new image would materialise every 10 seconds or so, with the interchange between each image virtually instantaneous. The proposed display would be internally illuminated and would operate at an illumination level of 300cd/sqm.
 6. I have been made aware of the level of personal injury crashes over the last five years near this junction. From my observations, due to the proximity of the proposed advertisement to the junction, together with the scale and position of the advertisement and proposal for changing images, I consider that it would create a distraction to drivers materially greater than the existing advertisement on the site. For the same reasons, I consider this distraction would significantly increase the possibility for road traffic collisions. This would be to the detriment of highway safety.
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7. Whilst I note that the Transport for London formula for static digital advertising has been applied; in the circumstances of this major road junction a more detailed analysis is necessary. Thus, I do not consider conformity with this formula to be a reason to allow the appeal.
8. The Council refers to saved Policy B13 in the Borough of Dartford Local Plan (1995) and emerging Policy DP2 in the Dartford Development Policies Plan Publication (Pre-Submission) Document (2015). The Regulations require that decisions be made only in the interests of amenity and public safety. Therefore, the Council's policies alone cannot be decisive. However, I have taken them into account as a material consideration in my determination of this appeal.
9. For the above reasons and having taken into consideration all matters raised, I conclude that the proposal would have an adverse effect on highway safety.

J L Cheesley

INSPECTOR