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# Appeal Decision

Site visit made on 30 November 2021 by Emma Grierson BSc (Hons) MSc MRTPI

## Decision by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2021

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### Appeal Ref: APP/T2215/Z/21/3275052

### Land and advertising site at 361 Princes Road, Junction of Lowfield Street, Dartford 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 Mr Richard Page (Wildstone) against the decision of Dartford Borough Council.
  - The application Ref DA/20/01562/ADV, dated 20 November 2020, was refused by notice dated 30 March 2021.
  - The advertisement proposed is Conversion of existing 1no. 48-sheet and 1no. 96-sheet illuminated advertising displays to 1no. 48-sheet digital advertising display.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
4. The Council's concerns relate solely to public safety and no objections have been raised with regard to amenity. Due to the presence of the existing advertisement on the appeal site and the landscaping improvements proposed, I agree that the proposal would have no impact on the visual amenity of the site or the surrounding area.

### Main Issue

5. The main issue for the appeal is the effect of the proposal on public safety.

### Reasons for the Recommendation

6. The appeal site is a piece of land located on the junction of Princes Road and Lowfield Street, which was occupied by two advertisement displays, although it is noted that one of these had been removed at the time of my site visit. The

proposal would replace the existing advertisement with a new digital advertisement. This would be located further forward in the site and angled towards traffic approaching from Princes Road travelling westbound.

7. The proposal would reduce the amount of advertising on the site and would be similar to the existing 'poster and paste' style advertisement insofar as it would show static images which would automatically change every 10 seconds. However, it would be positioned much closer to the highway and angled towards oncoming traffic resulting in a considerably more prominent display than at present within the sightlines towards the junction. Therefore, although the proposed advertisement would only be noticeable from one direction of travel, its prominent positioning would be a visible distraction to those passing when they should be concentrating on the approaching complex and busy junction.
8. The data provided by the parties, in relation to the amount of collisions in the immediate area, varies. The appellant concludes, using their figures, that the existing poster and paste adverts are not linked to a road safety problem. However, the proposed advert would be in a different location, closer to the traffic. The Council has used its own collision data which shows a relatively high number of traffic collisions to the east of the junction. These previous collisions, along with a high volume of traffic and the proximity of a pedestrian crossing in this location, indicate that this is a challenging section of road. Therefore, any additional cognitive demand on drivers, such as the proposed advertisement, would result in the potential for further collisions and harm to public safety.
9. I have had regard to the appellant's Highway Safety Report. However, this does not alter my findings. Therefore, due to its positioning and the nature of the junction, I conclude that the proposed advertisement would unacceptably harm public safety. I have taken into account policy DP2 of the Dartford Development Policies Plan (2017) which seeks to protect public safety in relation to advertisements and so is material in this case. Given I have concluded that the proposal would harm public safety, the proposal conflicts with this policy.

### **Other Matters**

10. The appellant has brought a number of advertisements to my attention in various locations throughout the country. These demonstrate similar digital displays to the proposal before me. However, the specific details of each location, such as the volume of traffic or collision frequency, is not possible to gauge from the information provided, in order to ascertain whether these are comparable to the appeal site. Therefore, these examples are given limited weight and do not set a precedent for the advertisement proposed.
11. It is noted that the proposed digital display would have an increased durability and efficiency and would be a more modern addition to the appeal site, along with the benefits to visual amenity from the landscaping proposed. However, this would not be sufficient to outweigh the significant harm found.

### **Conclusion and Recommendation**

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Emma Grierson*

APPEAL PLANNING OFFICER

**Inspector's Decision**

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Zoe Raygen*

INSPECTOR