



Appeal Decision

Site visit made on 4 December 2024

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2024

Appeal Ref: APP/G2245/Z/24/3349022

Roundabout on the junction of the A224 Orpington Bypass and London Road

Grid Reference Easting: 549729, Grid Reference Northing: 161489

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mrs J Woodward of Marketing Force Ltd against the decision of Sevenoaks District Council.
 - The application Ref is 24/0998/ADV.
 - The advertisement proposed is display of 5 x free-standing, non-illuminated fascia advertising boards.
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Decision

1. The appeal is allowed and express consent is granted for the display of 5 x free-standing, non-illuminated fascia advertising boards at roundabout on the junction of the A224 Orpington Bypass and London Road in accordance with the terms of the application, Ref 24/0998/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional condition:
 - 1) The information included on each board shall be the same for each advertisement and limited to:
 - Company logo
 - Company name (if not on logo)
 - One contact piece of information.

Main Issues

2. The main issues are the effect of the proposed development on amenity and public safety.

Reasons

Amenity

3. Badgers Mount Roundabout is a large roundabout with five entrance/exits. It has tall trees and planting in its centre with chevron and arrow signage on the roundabout. Entrances and exits are signposted and there is street lighting around the perimeter. There is also a decorative sign for Badgers Mount between two exits, as well as a bus stop and shelter close to the entry along Old London Road. Around the roundabout there is open land but housing along Old London Road and Shoreham Lane, The Toby Carvery and commercial site

opposite along London Road are clearly seen and signposts to the nearby distribution centre are also visible. Whilst the surroundings appear mainly rural, nevertheless, the roundabout appears as a functional, urban highway feature within this setting.

4. The site is within the Green Belt and I have taken this into account insofar as it relates to amenity. The roundabout is adjacent to the Kent Downs National Landscape which is of national importance due to its natural beauty. I am mindful of the statutory duty to seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape. Representations state that the site is within the Sevenoaks Area of Special Control of Adverts. However, detail is not provided as to how this relates to considerations of amenity and public safety. Notwithstanding, this decision undertakes a detailed consideration of these relevant matters.
5. The proposed development would be five signs which would be non illuminated and small in scale. The signs would be spread out around the centre of the roundabout and this spacing would not result in an overly cluttered appearance. Nor would they obscure the majority of the existing trees. They would be clearly seen as part of the existing urban highways feature and would be visually appropriate in this context. Consequently, they would also conserve the natural beauty of the National Landscape.
6. The essential characteristics of the Green Belt include its openness, and this has both spatial and visual dimensions. The advertisements are designed to be seen, however their volume, scale and size would be very small. As such, and considering the evidence before me now, they would not be harmful to the openness of the Green Belt.
7. Therefore, the proposed development would have an acceptable effect on amenity. I have taken into account policy EN1 of the Sevenoaks Allocation and Development Management Plan (ADMP). In summary, this seeks high quality design including consideration of the character of the area and so is material in this case. As the proposal would not harm amenity, it would be in accordance with this policy.

Public Safety

8. Badgers Mount roundabout is a busy junction with traffic entering and leaving the five exits from single lane roads. Although there is a need for drivers to take more care at a junction such as this, this roundabout does not have an overly complex route and is not difficult to navigate. The roundabout has street lighting, and large illuminated directional arrow and chevron signs in the centre.
9. The proposed signs would be five rectangular panels, would not be illuminated, would be non-reflective and would be smaller than the chevron and arrow signage on the roundabout. Whilst they would be visible to drivers, considering their design, size and siting, the proposed advertisements would be clearly different from and secondary to the highways signage. Therefore, taking into account the evidence in this particular case, they would not distract from and reduce the clarity or effectiveness of the existing signs. The display would be limited to the company name and logo and contact details, albeit specifying a preferred contact method is not necessary, and this could be secured by condition. This would ensure that the amount of information was limited so

that it would not be distracting. Consequently, the signs would not provide an unacceptable distraction for drivers. As such there would not be harm to highway safety including both drivers and pedestrians crossing the roads around the roundabout.

10. Therefore, the proposed development would not be harmful to public safety. I have taken into account Policy EN1 of the ADMP and Policy SP1 of the Core Strategy. In part, these require a safe and secure environment. As the proposal would not harm public safety, it would not conflict with these policies.

Other Matters

11. A previous appeal at this site has been brought to my attention (APP/G2245/H/08/2089562). The signs before me are of a different size to those under the previous appeal and the size of the text is specified. Furthermore, this was determined some time ago, prior to the Planning Practice Guidance and the Framework. There is also no evidence that the same information was before the previous Inspector as is before me now. Consequently, the appeal scheme is clearly different to the previous appeal and therefore this does not alter my conclusions.
12. It is put to me that there are restrictive covenants on this land. However, these would be private legal matters and not a material planning consideration to which any degree of weight can be attributed. No specific local economic benefits of the proposed development have been identified. Nevertheless, advertisements are subject to control only in the interests of amenity and public safety and therefore this other factor does not alter my decision.

Conditions and Conclusion

13. For the reasons above, this appeal should be allowed, subject to the five standard conditions and the non-standard condition relating to the information including the advertisement which would be required in the interests of public safety, discussed above.

H Miles

INSPECTOR