
Appeal Decision

Site visit made on 2 October 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal Ref: APP/T2215/Z/24/3346290

Roundabout at the Junction of Brunel Way, Marsh Street North and Halcrow Avenue, Dartford, Kent DA1 5TE

- 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 Marketing Force Limited against the decision of Dartford Borough Council.
 - The application Ref is DA/24/00239/ADV.
 - The advertisement proposed is 4 x free standing, non-illuminated fascia advertising boards.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have removed the words 'of the same measurements provided below for sponsorship purposes in partnership with Kent County Council' from the banner above, as they do not describe development.
3. A revised plan specifying the font size for any advertisement on the proposed boards has been supplied as part of the appeal. Insofar as font size is relevant to highway safety it is controllable through conditions. As such, I do not consider the revised plan to result in a materially different proposal to that upon which the Council based its decision and am content to include it in my determination. I am satisfied that this approach has not caused injustice to either party.

Main Issues

4. The main issues are the effect of the proposal on the visual amenity of the area and on public safety.

Reasons

Amenity

5. The appeal site is a roundabout (the roundabout) at the junction of Marsh Street North, Brunel Way and Halcrow Avenue. Marsh Street North (the road) runs from north to south. The land immediately west of it is distinctly commercial in character, comprising substantial commercial / industrial developments and the open car parking areas that serve them. The land to the east is, in contrast, wholly residential, and suburban in character. The

arrangement of the houses around a lake gives the area the feel of a clearly defined and self-contained domestic neighbourhood.

6. The road, including the roundabout, is a broad, open thoroughfare on which the signage is mostly functional, and the landscaping simple and basic. This gives the road a neutral, utilitarian feel, serving as a visual break and buffer between the divergent characters of the commercial and residential areas on either side of it.
7. Though a reasonable distance from the roundabout, homes on Dorney Place face directly onto it, with little to screen the view. Halcrow Avenue is the main route into and through the residential area it serves. As a result, the roundabout is in a very prominent position visually for occupiers and visitors in the residential area.
8. Though relatively modest in size at some 602mm tall and 1016mm wide, and even if erected with less than 300mm clearance beneath them, the four boards would stand out against the sparse, simple landscaping on the roundabout. The boards would bring the commercial feel from the western side of the road significantly closer to the residential area on the eastern side, encroaching upon the domestic feel therein, and resulting in a jarring, invasive presence. Though they would face in different directions, the presence of all four boards would be evident from the approach to the roundabout, creating a sense of clutter. These effects would be harmful to the visual amenity of the area, particularly the residential neighbourhood east of the road.
9. My attention has been drawn to advertisements permitted on other roundabouts nearby. Even if those advertisements and roundabouts are of the same or similar dimensions and design to those considered in this appeal, I have no evidence that their settings are comparable to that described above. As such, I attach minimal weight to the cited examples.
10. I appreciate that the boards would be professionally made, well-kept, and that advertising there upon would adhere to ethical standards. I also appreciate that the proposal would not harm a heritage asset or local biodiversity. However, insofar as they relate to planning, these are policy expectations rather than benefits and carry little weight, therefore.
11. In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the provisions of the development plan, insofar as they are relevant, have been considered. As I have concluded that the advertisement harms the amenity of the area, the proposal does not meet with the aims of Policy M1 of The Dartford Plan 2024 which seeks, amongst other things, to ensure advertisements and signage do not have a negative impact on visual amenity.

Public Safety

12. The Council cites a previous appeal decision in which the size of proposed boards was found likely to result in small text, potentially distracting to drivers. The boards proposed in this appeal are around twice as tall as those in the previous appeal and the size of the font has, in any event, been specified as being between 10 and 20cm tall, a feature which could be ensured using conditions.

13. The proposal has the support of the Highways Authority, who have no safety concerns. The boards would be non-illuminated and static, in an area otherwise relatively free of distraction, with clear lines of sight on the approach to the roundabout in each direction.
14. Based on all of the above, I see no reason to consider the proposal unsafe. As such, it accords with the pertinent requirements of Policies M1 and M16 of The Dartford Plan 2024.

Other Matters

15. I note the advertisements are intended to provide income for highways maintenance and may benefit the development of local businesses. These considerations are not material to the amenity of the area or highway safety and, as such, have not been material in my determination.

Conclusion

16. For the reasons given above, and having had regard to all matters raised, I conclude that the proposed advertisement would harm amenity and the appeal should be dismissed.

A Knight

INSPECTOR