
Appeal Decision

Site visit made on 11 February 2025

by **A Wright BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th March 2025

Appeal Ref: APP/G2245/Z/24/3348992

Roundabout on the junction of London Road and Beggars Lane, Westerham, Kent TN16 2DH

- 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 Ms J Woodward of Marketing Force Limited against the decision of Sevenoaks District Council.
 - The application Ref is 24/00994/ADV.
 - The advertisement proposed is described as 'display of 3 x free-standing, non-illuminated fascia advertising boards'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address above is taken from the application form but with additional details from the appeal form included.
3. The appellant submitted an amended sign specification with the appeal documentation. The amended plan shows the height of text to be used on the signs. My consideration of the amended sign specification could cause procedural unfairness or prejudice to the Council and interested parties. For this reason, my decision on the appeal is based only on the drawings submitted with the application for express consent.

Main Issues

4. The main issues in this appeal are the effect of the proposed advertisements on visual amenity and public safety.

Reasons

Visual amenity

5. The appeal site comprises a roundabout at the junction of the A233 London Road with Beggars Lane on the outskirts of Westerham. There are existing directional arrows on the roundabout with some vegetation behind. Whilst there is residential and commercial development nearby and the site is close to the M25, the junction is surrounded by well-established trees which give it a verdant appearance.
6. The site is in the Kent Downs National Landscape (formerly Area of Outstanding Natural Beauty) (NL) and I am mindful of the statutory duty to seek to further the purpose of conserving and enhancing its natural beauty. It is within the Chevening

Local Character area which is noted for its scarp-dominated landscape, woodlands and pastures. The trees around the road junction and the distant views towards hills and woodland to the north positively contribute to the NL.

7. The proposal is for three non-illuminated signs, around 1.2m long and 0.6m high and protruding upto 1m above ground level. They would be located on the roundabout, facing each of the three accesses onto the junction alongside the existing directional arrows.
8. The proposed signs would be similar to others installed elsewhere and would not advertise potentially controversial trades and interests. However, due to their number, size and position, they would be prominent on the junction and visually intrusive. The appeal scheme would increase the amount of signage on the roundabout, giving it an excessively cluttered appearance. Further, the proposed advertisements would appear out of place in the landscaped surroundings of this part of the NL, clearly visible to those travelling towards and around the junction.
9. The proposal would not affect any heritage assets or cause noise or harmful loss of outlook from residential properties. Further, their location within the Green Belt is not relevant to the issue of amenity. Nevertheless, for the reasons set out, the proposed advertisements would harm visual amenity.
10. In accordance with the Regulations, I have had regard to the provisions of the development plan insofar as they are material to the issues. Policies EN1 and EN5 of the Council's Allocations and Development Management Plan 2015 (ADMP) are relevant to the issue of visual amenity. Together, these seek high quality design and protection of the landscape and scenic beauty of the NL, requiring proposals to conserve and enhance landscape character. As I have found harm to visual amenity, it follows that there would be conflict with these policies.

Public safety

11. The roundabout is located on a busy route providing access to Sevenoaks, Bromley and Westerham. The significance of the junction is evident from the quantity of safety signage, including the directional arrows on the roundabout, and the amount of lighting surrounding it.
12. There is good visibility in all directions, wide carriageways and separate traffic flows on the surrounding roads. Nevertheless, the safety signs are clearly intended to get the attention of drivers entering the roundabout from all directions. At this point, drivers' attention needs to be focussed on the need to give way to traffic already on the roundabout and avoiding excessive slowing down to reduce the danger of collision from vehicles behind.
13. The proposed signs would not obscure existing road signage and would be static, non-reflective and non-illuminated, falling outside the types of advertisements which may cause danger to road users listed in the Planning Practice Guidance. They would be part of a wider scheme within the county and subject to approval by the highway authority, Kent County Council, who did not object to the proposal.
14. Research has shown that it is not possible to conclude that there is a direct relationship between the driving behaviour changes that can be attributed to roadside advertising and subsequent road crashes, and that distractions outside vehicles are responsible for only a small proportion of crashes. A London study on

roadside digital advertising found a need for detailed assessment of sites at locations with increased driver cognitive demand. There has been a very low level of slight reported incidents on this roundabout since 2013.

15. However, given how busy this road junction is and its significance in the road network, the addition of three adverts on the roundabout would cause a distraction to drivers in this case, potentially causing collisions with other vehicles and road users. The relatively small size of the signs may require a high degree of concentration to be read by drivers of vehicles, exacerbating the potential for distraction and accidents. Therefore, the proposal would harm public safety.
16. Roadside advertisements and roundabout sponsorship are common practice throughout the country. Although the size and number of proposed signs would broadly align with the roundabout sponsorship scheme in Milton Keynes, the latter only applies to certain roundabouts, and there is insufficient information to compare those locations with the one proposed.
17. The appellant is willing to accept a condition restricting the content of the proposed signs to the company logo, company name and one contact piece of information, but there is no such condition before me, and I am not satisfied that this would overcome the harm to public safety.
18. Policy EN1 of the ADMP and Policy SP1 of the Council's Core Strategy 2011 require new development to create safe environments. Given that the proposed advertisements would harm public safety, the appeal scheme would be contrary to these policies.

Conclusion

19. For the reasons given above, I conclude that the proposed advertisements would harm visual amenity and public safety, and therefore the appeal is dismissed.

A Wright

INSPECTOR