



Appeal Decision

Site visit made on 18 June 2025

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/A2280/Z/25/3365240

Chatham Hill, Chatham ME4 4NU

- 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 Wildstone Estates Limited against the decision of Medway Council.
 - The application Ref is MC/24/2603.
 - The advertisement proposed is replacement of 1no. paper and paste display with 1no. digital advertising display (D-Poster) and the removal of the other existing display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Under the above Regulations powers to control advertisements are to be exercised in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material and any other relevant factors. The National Planning Policy Framework and the Planning Practice Guidance (PPG) reiterate this approach.

Main Issue

3. The main issue is the effect of the replacement advertisement on public safety.

Reasons

4. The appeal site is a narrow strip of disused amenity land on the northern side of the A2 Chatham Hill opposite the Luton Arches roundabout, with retail units immediately adjacent to the west. A railway line lies to the east running over the A2, while the surrounding area is a mix of residential, retail and commercial uses. The site currently includes two large advertisement boards. These would be removed and replaced by a smaller digital display in a central position next to the existing lamppost.
5. Pedestrians and road traffic are well-segregated due to railings along the roadside at the roundabout and a footbridge over the dual carriageway junction of the A2 to the west of the roundabout. Consequently, the principal consideration is the effect of the proposed advertisement display on the safety of road users.
6. The position of the advertisement means that it would be in the direct line of sight of road users approaching the roundabout along the A2 dual carriageway heading eastwards. It would also be visible to those entering the roundabout from the High Street.

7. The PPG states that all advertisements are intended to attract attention but those proposed at points where drivers need to take more care are more likely to affect public safety. This includes, for example, at junctions and roundabouts or other places where local conditions present traffic hazards.
8. The roundabout includes five junction points and is heavily trafficked as I witnessed during the inspection at mid-afternoon. Traffic levels are likely to be greater at peak hours in the morning and evening. Overall this is clearly a busy intersection with traffic regularly entering and exiting the roundabout from the multiple road junctions, which serve both local and through routes. I note that a significant number of road traffic collisions have been recorded here in the most recent five-year period.
9. The proposed display would be materially smaller than those it would replace and, therefore, would be less prominent in this regard. I note also that illumination levels would be in accordance with industry standards. However, a substantive difference between the existing and proposed displays is that while the existing ones are paper and paste, the proposal will display static images on rotation.
10. The PPG indicates the main types of advertisement which may cause danger to road users include those which are subject to frequent changes of display. In this case, the proposal will be capable of displaying six adverts at a time, sequencing every ten seconds. While the changes to the display will not be highly frequent, they will nonetheless be apparent to road users in a wider context of limited advertisements, largely comprising the commercial fascia signs on premises adjacent to the appeal site. As such, the display will be a focal point for road users approaching the busy roundabout.
11. The effect of the rotating display will be to draw the eye at a point where, notwithstanding road conditions and speed limits, concentration is required due to the number and nature of the entry and exit points to the roundabout. This is evidenced by the number of accidents that have occurred here. Therefore, based on the particular circumstances in this case, the nature and position of the display would cause an undue distraction to road users and so would be harmful to safety, with the potential to increase the number of accidents that have already occurred in this location.
12. I have had regard to the safety analysis provided by the appellant, including that of the 22 accidents that have occurred at the roundabout, 19 were classed as 'slight', while 3 were 'serious'. The fact that these accidents occurred in the absence of the type of advertisement proposed here is not sufficient basis to overcome the potential for further accidents that could occur due to the nature and location of the advertisement.
13. My attention is drawn to an unsuccessful appeal decision for a similar form of advertisement display on the gable wall of No 386 High Street, facing the roundabout¹. In that case the Inspector made similar findings about the effects of the proposed advertisement. I am mindful in this regard that appeal decisions involving similar considerations should be consistent.
14. The appellant contends that the proposal is similar to approved replacement digital advertisements on roads close to the roundabout. However, in those cases the

¹ APP/A2280/Z/21/3288331, dated 24 May 2022.

advertisements were not directly facing the roundabout as in this case and, therefore, the effects are not comparable. More generally, reference is made to other locations around the country where similar advertisements to the current proposal have been approved close to roundabouts. However, it has been found that the form of the proposed advertisement would harmfully effect public safety in this particular location and, therefore, these other examples do not overcome that harm. Furthermore, the suggested conditions would not overcome the harm that has been found.

15. Accordingly, for the above reasons, I conclude that the proposed advertisement would have an unacceptably harmful effect on public safety. Consequently, the appeal should not succeed. I have taken into account Policy BNE10 of the Medway Local Plan (2003), which concerns the effects of advertisements, including on safety and which, therefore, is material in this case. Given that I have concluded that the proposal would harmfully affect public safety, the proposal is contrary to this policy.

Other Matters

16. The appellant suggests a number of benefits of the proposal, which I have had full regard to. I acknowledge that the proposal would have operational and environmental benefits, that the display could be used for charitable or emergency messaging, and that there could be some positive economic effects. These benefits are, however, insufficient reason to overcome the harm to public safety that would result from the proposal, for the reasons given.
17. I acknowledge that the appellant may be frustrated by the process leading to the Council's decision in this case. However, this matter is not within the scope of this appeal, which concerns the planning merits of the proposal.

Conclusion

18. For the reasons given the appeal is dismissed.

J Bell-Williamson

INSPECTOR