



Appeal Decisions

Site visit made on 5 August 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2025

Appeal A Ref: APP/T2215/W/25/3363447

Pavement adjacent 14 Westgate Road, Dartford DA1 1DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by BT Telecommunications plc against the decision of Dartford Borough Council.
 - The application Ref is DA/24/01371/FUL.
 - The development proposed is the installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s).
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Appeal B Ref: APP/T2215/H/25/3363448

Pavement adjacent 14 Westgate Road, Dartford DA1 1DY

- 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 BT Telecommunications plc against the decision of Dartford Borough Council.
 - The application Ref is DA/24/01372/ADV.
 - The advertisement proposed is described as 'the installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s).'
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Decision

1. Appeal A is allowed and planning permission is granted for proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s) at Pavement adjacent 14 Westgate Road, Dartford, DA1 1DY in accordance with the terms of the application, Ref DA/24/01371/FUL subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 revision A, 002 revision A and 003 revision A.
 - 3) The materials to be used in the construction of the hub shall be as specified in the materials section of the planning application form.
2. Appeal B is allowed and express consent is granted for the installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s) at Pavement adjacent 14 Westgate Road, Dartford DA1 1DY. The consent is granted for five years from the date of this decision and is subject to five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:

- 1) The intensity of the illumination of the advertisements hereby permitted shall be no greater than 600 candela per square metre.
- 2) The advertisements hereby permitted shall display static images only and any images shall change no more regularly than every ten seconds.

Appeal Procedure

3. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

4. Despite sharing the same description of development, appeal A relates to the refusal of planning permission for the street hub installation and appeal B to advertisement consent for the integrated displays. Since there is some cross over, I have dealt with the main issues together.
5. With regard to appeal B, the Council has drawn my attention to the policies it considered to be relevant, and I have taken them into account as material considerations since the power to control advertisements may be exercised only in the interests of amenity and public safety and therefore the policies alone have not been decisive.
6. The telephone boxes outside 19-21 High Street have already been removed. Nevertheless, the street hub is not in place, and I have therefore considered the scheme accordingly.

Main Issues

7. The main issues are interlinked. In regard to appeals A and B respectively, they are the effect of the scheme on a) the character and appearance of the area with specific regard to visual amenity; and b) pedestrian and cyclist movement and crime/public safety.

Reasons for the Recommendation

Character and Appearance/Visual Amenity

8. The appeal site is an area of pavement on Westgate Road alongside a restaurant/takeaway building. The building is large and sits at the front of the Prospect Place Retail Park. The area is predominantly commercial leading to the retail park. The site is situated close to the junction and there is therefore a range of other street furniture including road signage, street lighting and traffic lights.
9. Although the hub would amount to additional street furniture, there are a range of types of other street furniture within the area and therefore the hub would not be visually independent from the nearby development and would not be dominating within the street scene. The street hub is relatively slim and would not interrupt any key vistas given the wide nature of Westgate Road. The area appears to be well lit with other illuminated advertisements nearby. Therefore, subject to a condition relating to illumination levels, the proposal would not be incongruous even when it is dark.

10. With regard to appeal A, the proposal would not cause harm to the character and appearance of the area and would meet the requirements of Policies D1, D2, M1, M2 & M17 of the Dartford Plan 2024 (LP) which are concerned with the public realm amongst other things. With regard to appeal B, the proposed advertisement would not give rise to amenity harm and would comply with the aims of the aforementioned policies as far as they are material thereto.

Pedestrian and Cyclist Movement & Crime/Public Safety

11. Although the appeal site is situated fairly close to the shopping centre of Dartford, the surrounding development is more akin to an out of centre retail park. Westgate road carries a constant stream of traffic, but the roadside pavement appears much quieter. There is a good-sized pavement space available for the users.
12. Given that the hub would be relatively narrow on the pavement and the location is not overly busy with pedestrians with good lines of sight, it would be unlikely that it would cause a detrimental obstruction for pedestrian movements including those people who have disabilities. There would be adequate space for a wheelchair user and a walker to pass. The hub would be positioned with sufficient space surrounding it and almost in line with the existing highway signs. In the absence of any evidence to the contrary and taking into account my observations, I remain to be convinced that the appeal site would be used by 300 pedestrians each hour. Furthermore, it would likely only attract one user at a time due to its size, nature of operation and location and therefore users would not create a detrimental obstruction due to the space available.
13. The interactive cycle map shows that the pavement can be used as a cycling route. Nevertheless, it is not marked out for cyclists and the proposed hub would not therefore be positioned in the only space available. There would be adequate space around the hub for a cyclist to pass and given the relatively quiet nature of the site and good lines of sight for pedestrians, it would be unlikely that a cyclist would need to stop and/or cause an obstruction/conflict because of the hub.
14. The hub would be positioned in a well-lit space that does not appear overly busy. Given the nature of the use of the hub, the potential for a congregation around the unit is unlikely. Furthermore, the illuminated nature of the adverts would draw the eye and would therefore illuminate any users of the hub too. Nevertheless, an anti-social behaviour management plan is in place for the street hubs that addresses some of the Council's concerns and further provides specific advice for the Council if there were to be any future issues.
15. With regard to appeal A, the development would not therefore cause harm to pedestrian and cycle movements or crime levels and would comply with policies D1, D2, M1, M2, M16 & M17 of the LP which are concerned with safety amongst other things. With regard to appeal B, there would not be any harm to public safety as a result of the proposal and therefore it would comply with the same policies as far as they are material to the main issue.

Other Matters

16. There are no specific details within the Dartford Town Centre Framework Supplementary Planning Document as to how the appeal site would contribute to its aims. Given the site is located outside of the town centre, I am not convinced that the proposal would be detrimental to improving the public realm and I have not

been provided with any specific details of the proposed public realm improvements in this location or any re-development at the site. It may be the case that there are other facilities within Dartford that provide similar services to the hub however that does not alter my findings above.

Conditions

17. With regard to appeal A, other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty and enforcement purposes. The proposed materials are detailed within the application form but not on the submitted plans and therefore a condition is necessary to ensure them.
18. With regard to appeal B, the standard conditions shall be placed on the consent as per Schedule 2 of the 2007 Regulations. As the proposed advertisements are to be illuminated, it is necessary to apply a condition to limit the luminance level in the interests of amenity. The Council has recommended a condition to ensure that the proposed advertisements would have an illuminance level of 600 candela per square metre which has not been disputed by the appellant, and I therefore have no reason to disagree. The documents state that the advertisements shall be static and the Council has suggested that they should change no more than every ten seconds with no moving pictures. Again, this has not been disputed by the appellant and therefore it is necessary to apply a condition to these effects in the interests of public safety to prevent the adverts becoming an unacceptable distraction to road users.
19. The Council has suggested an additional condition relating to a one second interval however this is not necessary given the condition to restrict the adverts to change every ten seconds. Furthermore, it is not necessary to specify that the adverts should not resemble highway signage as if this were the case, one of the standard conditions would likely bite for enforcement purposes as hindering interpretation of road signage.

Conclusion and Recommendation

20. For the reasons given above, I recommend that both appeals should be allowed subject to the conditions mentioned.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and my representative's report and on that basis the appeals are allowed, subject to the conditions and in the circumstances set out.

John Morrison

INSPECTOR