
Appeal Decision

Site visit made on 29 October 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/J2210/Z/25/3369225

10 Borstal Hill, Whitstable, Kent CT5 4LX

- 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 Wildstone Estates Limited against the decision of Canterbury City Council.
 - The application Ref is CA/24/01976.
 - The advertisement proposed is the erection of a single-sided illuminated small format advertising display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) Regulations 2007 sets out the relevant considerations for this type of appeal which are amenity and public safety. The Council do not have concerns regarding public safety, and I have no reason to disagree.
3. The development plan policies referred to by the Council are therefore not determinative, but I have taken them into account as a material consideration.
4. As far as the National Planning Policy Framework (the Framework) is concerned, when determining advertisement consent appeals affecting a conservation area, or in relation to a listed building, the question of less than substantial or substantial harm is not relevant, as the policy only applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

5. The main issue is the effect of the advertisement on amenity with specific regard to the South Whitstable Conservation Area.

Reasons

6. The appeal site is located in the South Whitstable Conservation Area (SWCA). It comprises both residential and commercial uses, but the majority of buildings are residential in character, including those around the appeal site.
7. In relation to the appeal proposal, the significance of the SWCA is in part derived from the aesthetic and architectural value of the historic buildings within it. This includes a mix of both terraced housing with more uniform appearance and layout; and suburban, lower density housing. Individually and collectively, this helps to

create attractive street scenes that also contribute to the significance of the heritage asset.

8. Commercial buildings in the SWCA generally reflect the vernacular design and scale of the other buildings around them and thus contribute to the overall character of the conservation area. Whilst many display advertisements, these are predominantly fascia signs on shopfronts and are externally illuminated, thereby helping to minimise any wider visual impact. In contrast, the appeal site's open frontage, signage and illumination all contribute to it appearing as an outlier that does not reflect the characteristics of the wider SWCA and the buildings within it.
9. I acknowledge that signage and illumination are necessary features of a petrol filling station, particularly one that operates 24 hours a day. In this case, the alignment of the road, the existing site layout and position of neighbouring buildings help to ensure that the canopy lighting and totem sign whilst not in keeping with the rest of the street scene, are not overly prominent.
10. Conversely, the proposed digital display would visually extend eastwards the spread of illumination and distraction from the site. Although it is suggested that the digital display is intended for users of the petrol filling station, when the site is viewed from Canterbury Road to the north of the site the display would clearly be evident.
11. This effect would be reinforced by the rotating static displays which would increase attention and lead to the site becoming an even more conspicuous feature within the street scene than it has already become. Even allowing for the street lighting and advertisement on the nearby bus shelter, the proposal would exacerbate the out of character nature of the site and cause harm to the visual amenity of the area.
12. It is indicated that the display would replace the existing banners attached to the fence behind. This is said to reduce visual clutter and improve the overall appearance of the site. However, there is no information as to whether those banners have, or indeed require, consent and so I cannot be certain that they or something similar would not be located elsewhere on the site.
13. I am also mindful that at the time of my site visit the banners related specifically to goods available from the on-site shop and so it is not clear that the digital advertisement would be a direct replacement for the banners and ensure they would not be needed. Furthermore, no details have been provided as to how often these banners might have been changed in the past and thus the scale of any wider environmental savings if they were to be permanently removed. Accordingly, the benefits attributable to the removal of the existing banners carry limited weight.
14. I have had regard to the other benefits of digital advertising that have been cited by the appellant such as its use for emergency messaging, use by local businesses, the possible increase in business rates income for the Council etc. However, no specific details have been provided in relation to this particular proposal.
15. I am also mindful that the site would be subject to the standard conditions and that controls could be placed on the brightness of the display as well as the times it could operate. However, these do not outweigh the harm that would result to the visual amenity of the area, including to the designated heritage asset.

16. I have had regard to Policies DBE3, HE1, HE6, HE8 and HE9 of the Canterbury District Local Plan 2017. These policies, which are not decisive, require, amongst other things, advertisements to be sympathetic to their local setting and particularly to the character or appearance of Conservation Areas.
17. I have also had regard to paragraph 141 of the National Planning Policy Framework which notes that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

18. Various decisions from other parts of the country have been referenced. However, I have not been provided with the full details in all cases and there is nothing to suggest that those other sites were within a conservation area. As such, I cannot be sure that these other sites are directly comparable to the context before me and so they do not lead me to allowing the appeal. Furthermore, each case should be assessed on its own merits, which is what I have done in this instance.
19. The display would not be evident when approaching the site from Borstal Hill to the south. However, this does not diminish the harm I have identified in relation to the display when viewed from Canterbury Road.
20. The reasons for refusal do not reference the setting of the nearby listed buildings as being harmed. In contrast the appellant identifies some harm to some listed buildings albeit that harm is said to be negligible. I have had regard to the listed buildings insofar as they contribute to the significance of the SWCA and found there to be collective harm to the amenity of the area.
21. The appellant references the nearby fire station, but it is not a comparable form of development. It is also outside of the SWCA and so different considerations would apply.

Conclusion

22. For the reasons set out above and having regard to all other matters raised by the appellant, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR