



Appeal Decision

Site visit made on 11 November 2025

By SJ Desai BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2025

Appeal Ref: APP/T2215/Z/25/3374477

Greenhithe Service Station, London Road, Greenhithe DA9 9EJ

- 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 Dartford Borough Council.
 - The application Ref is DA/25/00682/ADV.
 - The proposed advertisement is described as 'Erection of 1x D-Poster Advertisement'.
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Decision

1. The appeal is allowed, and express consent is granted for the Erection of 1x D-Poster Advertisement at Greenhithe Service Station, London Road, Greenhithe DA9 9EJ in accordance with the terms of the application ref: DA/25/00682/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the additional conditions set out in the schedule below.

Procedural Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) and paragraph 141 of the National Planning Policy Framework 2024 (the Framework) state that advertisements should be subject to control in the interests of amenity and public safety.
3. In accordance with the Regulations, I have taken into account the provisions of the development plan only in so far as they are material.
4. In the interest of natural justice, the Council was afforded the opportunity to comment on the appellant's Highways Technical Note 01. Their representation has been duly considered in reaching my decision.

Main Issues

5. The main issues are:
 - the effect of the proposed advertisement on the amenity of the area; and,
 - the effect of the proposed advertisement upon public safety.

Reasons

Amenity

6. The appeal site occupies part of the forecourt of an established petrol filling station (PFS) on London Road. The existing PFS canopy, illuminated totem signage and forecourt equipment already form visually prominent elements of the street scene, softened in part by tree screening. The immediate surroundings comprise a variety of commercial and service-based uses, including the PFS itself, the associated Morrisons Daily store, a vehicle repair garage, and the Greenhithe Legion Social Club with its surface car park. These uses display lighting, signage and general activity of a scale and nature typical of such roadside environments.
7. While residential properties are present to the north and south, they are visually and functionally separate from the immediate roadside frontage, being set back and filtered by vegetation, such that the appeal site reads principally as part of an established commercial, albeit notably leafy, stretch of London Road.
8. The advertisement would be sited within the established PFS forecourt, set back from the carriageway and positioned at a comparatively low level. In this context, it would sit comfortably within the functional layout of the site. Its placement, scale and height ensure that it would read as a typical and proportionate component of the forecourt environment rather than an intrusive addition to the street scene.
9. Although the proposal introduces a different form of advertisement and an additional light source to the street scene, it would be viewed when approaching from the south-west alongside existing illuminated structures, equipment, and signage already characteristic of the immediate context. Against this backdrop, the advertisement would neither appear unfamiliar nor discordant. It would be absorbed into the existing pattern of illumination and activity, while avoiding any sense of clutter or cumulative harm. When viewed from an easterly direction the back of the advertisement would be seen in the foreground of the PFS and would also be well screened by existing planting and boundary treatments. Overall, the proposal would remain visually coherent with the established, functional character of the PFS and would not give rise to any material adverse effect on the wider street scene.
10. The site is already subject to continuous illumination from canopy lighting, street lighting, vehicle movements and the routine operation of the PFS. Within this context and noting that the advertisement would not directly face the nearest residential properties, the display, controlled by standard luminance limits, would not appear out of place. Conditions regulating luminance and image sequencing would effectively prevent unacceptable light spill or glare that might otherwise impact residential amenity.
11. The Grade II listed wall, gate piers and railings to Ingress Abbey derive their significance from their architectural detailing, their contribution to the historic character of the estate, and their role in delineating the historic boundary that once enclosed the grounds of the Abbey from the wider area. The setting contributes to significance by retaining elements that reveal the historic configuration of the estate and its separation from the wider area.

12. The gate piers and railings are located to the west, well away from the appeal site, on the opposite side of London Road at the junction with The Avenue, and are already experienced within a modern, busy roadside environment which includes varying buildings, signage and other street furniture. Although the proposed advertisement may be visible in the background of oblique views of elements of the listed wall, the degree of separation, intervening activity and controlled illumination would ensure that it does not materially alter how the asset is experienced within its setting, nor diminish the features that confer its significance. Any visual effects would be limited and would not result in harm to this asset or to the Grade II Ingress Abbey itself, which lies significantly further to the northeast.
13. Accordingly, I conclude that the proposal would preserve the significance and setting of the designated heritage assets identified above and would not harm the amenity of the area. As far as it is material it would not conflict with Policies M1, M2 or M5 of the Dartford Local Plan to 2037 (2024) (DLP) or the Framework in this respect, which collectively seek to ensure that development achieves good design, maintain local character and safeguard the setting and significance of heritage assets.

Public Safety

14. The Council's concern, supported by Kent County Council Highway and Transportation, is that the advertisement may distract motorists in what they describe as a complex driving situation, particularly those approaching the pedestrian crossing to the west of the site or entering or exiting the PFS.
15. The advertisement, while prominent, would not be overtly large in the context of the surrounding PFS and commercial uses. Its scale is broadly consistent with advertisement formats commonly present on urban corridors and it would not appear unusually out of place or unexpected to drivers.
16. The relevant section of London Road benefits from good forward visibility, is well lit, and is subject to a 30-mph speed limit, all of which contribute positively to driver awareness and reaction time. Given the use of 10-second static images and the absence of any moving or dynamic content, the panel would also generally read as a fixed display.
17. Having reviewed the technical evidence, I am satisfied that the display would only become visible once drivers had already perceived the zebra crossing ahead. The available forward visibility would be sufficient to allow drivers to register the display without detracting from their ability to respond appropriately to the crossing.
18. The nearest bus stops are located at a considerable distance from the advertisement, and the signalised junction referenced by the Council lies well beyond its position. Motorists travelling towards that junction would have already passed the display before undertaking any decision-making associated with the junction. Consequently, the advertisement would have only a limited and inconsequential influence on driver behaviour in relation to both the bus stops and the junction.
19. Although the parties present differing evidence regarding the most recent accident data, the overall record does not indicate any persistent or general safety issue at this location. The incident cited at the PFS egress does not, in itself, demonstrate that a digital display of this nature would materially elevate risk, particularly given

the favourable approach conditions and the sign's offset position, which together ensure that the display would not materially distract drivers entering or exiting the PFS.

20. I have considered the research cited by the Council. While these studies identify circumstances in which large or moving digital displays may draw driver attention, they do not demonstrate that a display with controlled luminance and fixed advertisement changes would give rise to a materially harmful level of distraction. The evidence before me and my own observations at the site, do not indicate that the site exhibits high-conflict conditions, nor that the proposal would meaningfully affect driver decision-making. On that basis, I find no compelling evidence that the advertisement would cause distraction to road users or materially increase risk to highway safety such that it would result in the harm identified by the Council.
21. For the reasons given above, based upon the evidence before me, I am satisfied that the proposal would not result in harm to public safety. The provisions of the development plan, so far as they are relevant, have been considered. Since the proposed advertisement would not have an unacceptable impact upon public safety, I find no conflict with Policies M1 and M16 of the of the DLP or the Framework in this respect.

Other Matter

22. The Council has highlighted a nearby planning application¹. As I have not been provided with information to show that this has been approved, it has not been a determinative matter in my decision.

Conditions

23. The five standard conditions set out in the Regulations apply. The Council, Kent County Council Highways and Transportation and the appellant have suggested additional conditions, and I have considered these.
24. To protect highway safety, the advertisement must not feature moving or animated images or resemble official traffic signs. Luminance and frequency should be controlled to preserve amenity and public safety. A condition requiring compliance with the submitted plans is unnecessary as the standard conditions apply and express consent, not planning permission, is being granted, and minor amendments are not applicable.

Conclusion

25. For the reasons given above and having regard to all other matters raised, the appeal should be allowed.

SJ Desai
INSPECTOR

¹ DA/25/00464/OUT.

SCHEDULE OF CONDITIONS

- 1) There shall be no moving images, animation, video or full motion images displayed unless otherwise permitted by this consent.
- 2) In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m² in accordance with the recommended maximum night time luminance value set out for Environmental Zone 4 in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².
- 3) In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than 5000cd/m² in accordance with the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals – Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².
- 4) The minimum display time for each advertisement shall be 10 seconds and the advertisement shall not include any features which would result in interactive messages or advertisements being displayed.
- 5) The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without effect. The display shall include a mechanism to default to a blank or black screen in the event of malfunction, or if the advertisement is not in use.
- 6) No images displayed shall resemble official road traffic signs, traffic lights or traffic matrix signs.

END OF CONDITIONS