
Appeal Decision

Site visit made on 7 January 2026

by **H Miles BA (hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 January 2026

Appeal Ref: APP/A2280/Z/25/3374739

Corner Of Pier Road And Dynamo Way, Gillingham ME4 4FT

- 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 Medway Council.
 - The application Ref is MC/25/0814.
 - The advertisement proposed is erection of a new D48 display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (2024) (Framework) states that advertisements should be subject to control only in the interests of amenity and public safety. I have assessed the appeal on this basis

Main Issue

3. The main issue is the effect of the proposed development on public safety with particular regard to highway safety.

Reasons

4. The advertisement proposed would be 6m wide, 3m high and positioned 2m above the ground. It would be an illuminated digital display which would display static images, changing a minimum of every 10 seconds with no fading or effects between images. Brightness would be controlled by light sensors to adjust to ambient lighting conditions.
5. The appeal site is alongside the busy Pier Road which is reasonably straight at this point. However, in the vicinity there are two signalised interchanges with multiple lanes of traffic, including up to five entry lanes on the Pier Road arm. Lanes lead from and to Gillingham Gate Road, Dynamo Way and the Asda superstore, Medway Road and Purser Way. There are also multiple signalised pedestrian crossings. Drivers therefore need to navigate lane changes and multiple sets of traffic lights along this busy section of road. Accident data has been submitted which demonstrates that there have been 12 accidents in 5 years, one of which was in a location where the proposed sign would be visible and due to a vehicle driving through a red light on Pier Road southbound carriageway. The appellant reports that this is not considered unusual or atypical. Nevertheless, this

is a busy and complex section of road and a location where drivers would need to take more care.

6. The sign would be most visible to vehicles on the Pier Road Southbound carriageway. At this location there are traffic lights before the junction where traffic exits from Dynamo Way. There are two sets on the nearside of the road, and two offside on the traffic island. The sign would not be seen behind the offside traffic lights.
7. However, the proposed sign would be directly visible behind the nearside signal heads when approaching or stopped at the signal-controlled junction. Although there are alternative offside signals, I am not satisfied that drivers would not rely on the nearside set in this location. There are backboards to these lights and at night, they would be brighter than the sign. Furthermore, the level of illuminance and method and frequency of the change of the digital images would be limited. Nevertheless, the proposed digital sign directly behind these signals would cause driver distraction and detract from the effectiveness of the signals. This could lead to drivers failing to stop or obey signals with a risk of collisions and subsequent harm to public safety.
8. There is an existing Asda totem sign in this direction, which is illuminated. However, the proposed signage would be larger and would include a digital display which is clearly different to the existing sign. There is also an illuminated sign nearby on Pier Road. However, this is located in a different position, and away from the junctions, therefore the public safety considerations are clearly different to those before me now. I am also provided with a number of examples of advertisements which have been consented which are some distance from the site and in different local authority areas (Sandbrook Way Rochdale, 99 Bordesley Green Birmingham, Canterbury Street Gillingham, 624 Bearwood Road Smethwick and 130 Upwell Street, Sheffield), however I do not have evidence that the characteristics of these sites are similar to the situation for this appeal. As such, they have not altered my decision.
9. Digital advertising could lead to increased business rates, reduced waste from poster production, and reduced vehicle trips due to the remote control of the signs. However, I have no detail that secures that this sign would be used for local, emergency or public messaging. Nor that this sign would replace any existing, or multi-panel sites. Advertisements are subject to control only in the interests of amenity and public safety. The submissions do not demonstrate that these other matters would amount to benefits in these regards. As such, these factors do not alter my decision.
10. Consequently, the signs would be harmful to public safety with particular regard to highway safety. I have taken into account Policy BNE10 of the Medway Local Plan (2003) which requires that advertisements should not result in a road safety hazard which would be likely to distract, confuse or obstruct the vision of road users, amongst other things. As the proposal would harm public safety, it conflicts with this policy.

Conclusion

11. For the reasons given above the appeal should be dismissed.

H Miles INSPECTOR