



Appeal Decisions

Site visit made on 13 August 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 August 2024

Appeal A Ref: APP/L3625/W/24/3343489

O/S 1-2 Central Parade, 5 London Road, Redhill RH1 1LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by In Focus Network Limited against the decision of Reigate & Banstead Borough Council.
 - The application Ref is: 24/00339/F.
 - The development proposed is installation of a freestanding telephone apparatus with affixed defibrillator and advert display.
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Appeal B Ref: APP/L3625/H/24/3343492

O/S 1-2 Central Parade, 5 London Road, Redhill RH1 1LY

- 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 In Focus Network Limited against the decision of Reigate & Banstead Borough Council.
 - The application Ref is: 24/00340/ADV.
 - The development proposed is single illuminated six sheet display with automatic change of static images at ten second intervals (in connection with installation of a freestanding telephone apparatus with affixed defibrillator and advert display).
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Appeal C Ref: APP/L3625/W/24/3343490

O/S 3 Station Road, Redhill RH1 1NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by In Focus Network Limited against the decision of Reigate & Banstead Borough Council.
 - The application Ref is: 24/00337/F.
 - The development proposed is the installation of a freestanding telephone apparatus with affixed defibrillator and advert display.
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Appeal D Ref: APP/L3625/H/24/3343494

O/S 3 Station Road, Redhill RH1 1NT

- 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 In Focus Network Limited against the decision of Reigate & Banstead Borough Council.
 - The application Ref is: 24/00338/ADV.
 - The development proposed is single illuminated six sheet display with automatic change of static images at ten second intervals (in connection with installation of a freestanding telephone apparatus with affixed defibrillator and advert display).
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Decisions

Appeal A Ref: APP/L3625/W/24/3343489

1. The appeal is dismissed.

Appeal B Ref: APP/L3625/H/24/3343492

2. The appeal is dismissed.

Appeal C Ref: APP/L3625/W/24/3343490

3. The appeal is dismissed.

Appeal D Ref: APP/L3625/H/24/3343494

4. The appeal is dismissed.

Preliminary Matters

5. Appeals A and C relate to the refusal of planning permission for the proposed hubs. Appeals B and D are in respect of refusal of advertisement consent for the digital signage which would be an integral part of the proposed hubs sought under Appeal A and C. In respect of each pair of appeals, I have considered both on their individual merits. However, to avoid repetition, I have dealt with the relevant issues concurrently.
6. In respect of Appeals B and D, Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) and the National Planning Policy Framework (the Framework) make it clear that advertisements are subject to control only in the interests of amenity and public safety. While not decisive, I have taken relevant policies into account as a material consideration.
7. The Council has not raised any issues of public safety and given their proposed siting and as a result of my site visit, I have no reason to take a different view.

Main Issue

8. I consider that the main issue in respect of each of the appeals (Appeals A- D) is the effect of the proposals on the character and appearance and visual amenity of the area, including the setting of the Redhill Town Centre Conservation Area.

Reasons

Background

9. The appeals relate to a freestanding hub in two separate locations within Redhill Town Centre, each with an integral advert display on one side with a call facility under a protective canopy on the other. The proposed hubs would not be within the Redhill Town Centre Conservation Area, but close to it.

10. Each hub would have a width of 1338 mm and overall height of 2630mm; the depth of the main vertical element would be 317mm with the protective canopy extending out a further 600mm. There would be an LCD screen display screen on one side measuring 1895 mm by 1065 mm, together a 32 inch touch screen including a call facility and access to other services, under a protective canopy on the other. The proposal would provide a range of services, including, amongst others, free Wi-Fi, free phone calls to landlines and charities, defibrillator, wayfinding, device charging, rapid connection to emergency services, public messaging capabilities, and a platform for other technologies such as environmental conditions, CCTV and key data. These features are implemented with all units powered by green electricity and lit using high-capacity batteries, powered by solar energy.
11. Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Glossary to the Framework confirms that conservation areas are defined as designated heritage assets. Paragraph 206 of the Framework advises that any harm to or loss of the significance of a designated heritage asset (from its alteration or destruction or from development within its setting) should require clear and convincing justification.

Appeals A and B: Character and Appearance

12. The proposed communication hub would be sited within the Central Parade of the Town Centre which is a pedestrianised area and within the primary shopping area, with a wide range of buildings on both sides of the pedestrianised street, including Victorian buildings as well as more modern developments. The overall very generous width of the street is broken down to comprise a central area in different surface materials with street trees and circular benches around the trees, leaving more open pedestrian thoroughfares on either side closer to the shops and buildings.
13. The proposed hub would be sited within the more open pedestrianised thoroughfare, broadly outside of 1-2 Central Parade. However, its proposed siting within this open pedestrianised space would appear unrelated to the existing layout and hierarchy of open spaces. It would neither relate in its siting to the pattern of street furniture in the vicinity or relate to the buildings behind. It would appear as a visually incongruous and randomly sited addition within the footway. The tall and solid structure with its illuminated adverts would appear visually over dominant within this open space.
14. The hub would not be sited within the Redhill Town Centre Conservation Area but a little distance to the north. The designated heritage asset is focussed at the central crossroads in the town centre and primarily running east – west along Station Road and encompassing a range of attractive buildings dating from the Victorian period including earlier and plainer facades to later and more decorative styles. This concentration of Victorian buildings, taken together, contribute to the Victorian period of development of the town centre and the significance of the Conservation Area.
15. I appreciate that it is intended to be seen as a notable feature, but given its siting the proposed hub would be overly dominant and visually intrusive in the local context. It would be a large and solid structure and a detracting feature in

views out of the Conservation Area and views towards it and I therefore consider that it would materially harm the setting of the Conservation Area.

16. In respect of the levels of illumination which particularly relates to Appeal B, the application forms indicate that the illuminance levels will be 300 Cdm² and the appellant has further proposed a condition that the intensity of illumination shall be no greater than 300 Cdm² after dusk. This proposed light level would fall within the recommendations set out under the Institute of Lighting Professionals - Professional Lighting Guide No.5 2015: *The Brightness of Illuminated Advertisements*. Furthermore, the illuminated adverts would be seen in the context of a street scene which is generally well lit, including from street lighting and commercial premises, including signage. The harm I have found is not specific to the levels of illumination but from the proposed siting of the proposed hub in relation to the street scene and surrounding townscape and within the setting of the Redhill Town Centre Conservation Area.
17. I therefore conclude that the proposal under Appeals A and B would result in visual harm to the local area and would not preserve the setting of the Redhill Town Centre Conservation Area. This would conflict with Policies DES1, DES10, NHE9 and INF3 of the Reigate and Banstead Development Management Plan 2019, as well as the Framework, and in particular Sections 12 and 16 all of which amongst other matters seek a high quality of design which respects the local context and the significance of designated heritage assets, including their setting. There is a reference in the Council's reason for refusal to the Reigate and Banstead Core Strategy but no specific policies are referenced in the refusal and I have not therefore been able to give weight to the Core Strategy.

Appeals C and D: Character and Appearance

18. The proposed communication hub would be sited on the pavement outside McDonalds at the southern eastern end of Station Road and at the eastern end of the pedestrianised part of the town centre. The hub would also face onto the main roundabout leading to Redhill Station on its eastern side and the bus station on the northern side. The pedestrianised area is marked by a series of bollards and other street furniture including large planters, as well as bike racks.
19. This location is, as existing, a busy thoroughfare, with an existing range of street furniture to identify and service the start of the pedestrianised part of the town centre. The introduction of the hub on the pavement just outside of the pedestrianised area would not appear well related to either the existing arrangement of buildings or to the street scape. It would appear as a visually incongruous and randomly sited addition within the footway. It would neither relate in its siting to the pattern of street furniture in the vicinity or relate to the buildings behind. The tall and solid structure with its illuminated adverts would appear visually over dominant within this space. It would also harmfully exacerbate street clutter in this locality where there is already a wide array of bollards, planters, bike stands and streetlights.
20. The hub would not be sited within the Redhill Town Centre Conservation Area but immediately outside on its north eastern side. The designated heritage asset is focussed at the central crossroads in the town centre and primarily running east – west along Station Road and encompassing a range of attractive buildings dating from the Victorian period including earlier and plainer facades

to later and more decorative styles. This concentration of Victorian buildings, taken together, contribute to the Victorian period of development of the town centre and the significance of the Conservation Area.

21. I appreciate that it is intended to be seen as a notable feature but given its siting the proposed hub would be overly dominant and visually intrusive in the local context, exacerbating existing street clutter. It would be a large and solid structure and a detracting feature in views out of the Conservation Area and views towards it and I therefore consider that it would materially harm the setting of the Conservation Area.
22. In respect of the levels of illumination which particularly relates to Appeal D, the application forms indicate that the illuminance levels will be 300 Cdm² and the appellant has further proposed a condition that the levels of illuminance shall be no greater than 300 Cdm² after dusk. This proposed light level would fall within the recommendations set out under the Institute of Lighting Professionals - Professional Lighting Guide No.5 2015: *The Brightness of Illuminated Advertisements*. Furthermore, the illuminated adverts would be seen in the context of a street scene which is generally well lit, including from street lighting and commercial premises. The harm I have found is not specific to the levels of illumination but from the proposed siting of the proposed hub in relation to the street scene and surrounding townscape and within the setting of the Redhill Town Centre Conservation Area.
23. I therefore conclude that the proposal under Appeals C and D would result in visual harm to the local area and would not preserve the setting of the Redhill Town Centre Conservation Area. This would conflict with Policies DES1, DES10, NHE9 and INF3 of the Reigate and Banstead Development Management Plan 2019, as well as the Framework, and in particular Sections 12 and 16 all of which amongst other matters seek a high quality of design which respects the local context and the significance of designated heritage assets, including their setting.

Overall Planning Balance: Appeals A and B, C and D

24. I have concluded that the proposals under Appeals A and B, and Appeals C and D would result in visual harm to the local area and would not preserve the setting of the Redhill Town Centre Conservation Area.
25. Paragraph 208 of the Framework sets out that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. It is my conclusion that the proposal in harming and failing to preserve the setting of the Conservation Area would result in less than substantial harm to the designated heritage asset.
26. As set out under my Preliminary Matters, the proposal would provide a range of services, including, amongst others, Wi-Fi, device charging, public messaging facilities, free calls to landlines, and wayfinding contributing towards a 'smart city'. It would be powered by renewable energy, would generate minimal waste and would include features to prevent crime and anti-social behaviour. It would provide a platform for other technologies such as environmental conditions and key data and would support businesses and the vitality of the area. These facilities and services would provide a useful function and benefits to members

of the public, and within a town centre location. However, I am not persuaded that such services could not be provided in a less obtrusive way which would not raise concerns in respect of visual amenity, including the setting of the Conservation Area.

27. Taking all of these factors into account including the support in the Framework for high quality communications, these public benefits would be modest. They would not outweigh the harm I have concluded to visual amenity including the setting of the Redhill Town Centre Conservation Area under Appeal A and Appeal B, Appeal C and Appeal D.

Conclusion

28. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that Appeals A and B and Appeals C and D should be dismissed.

L J Evans

INSPECTOR