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## Appeal Decision

Site visit made on 19 February 2025

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 MARCH 2025

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**Appeal Ref: APP/K3605/W/24/3347948**

**Pavement opposite Coppa Club, 17 Between Streets, Cobham KT11 1AA**

- 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 Mr Nathan Still of In Focus Public Networks Limited against the decision of Elmbridge Borough Council.
  - The application Ref is 2024/1043.
  - The advertisement proposed is 1 internally illuminated LCD Screen.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application form describes the site as 17 Between Streets, but that is the address of a commercial premises on the opposite side of the road to the appeal site, and one which is unrelated to the proposed advertisement. As such, rather than use the site address as provided in the application form, I have used the one in the appeal form as it adds the term "Pavement opposite Coppa Club" and, in so doing, more accurately describes the location of the proposed advertisement.
3. The application sought consent to display an advertisement, but described the proposal as follows: "This application relates to the installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator". A separate application was submitted seeking planning permission for the hub in question leading to another appeal<sup>1</sup> by the same appellant on this site, which is subject to a separate decision. Accordingly, the description of the proposal in the application form is inaccurate, and I have used the description of development from the decision notice, as it identifies the advertisement in isolation.
4. The Council's reason for refusal relates specifically to matters of amenity, with no objection raised on the grounds of public safety. On the basis of the evidence before me and my observations at the site visit, I find no reason to take a different view.
5. Since the determination of the application a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and as such I consider there would be no prejudice to any party by considering the development against the relevant parts in the Framework.

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<sup>1</sup> Ref: APP/K3605/Z/24/3347947

## Main Issue

6. The main issue is the effect of the proposed advertisement on the amenity of the area.

## Reasons

7. The appeal site is within the settlement of Cobham, the main social and commercial centre of which is set out in broadly linear form along the A245. This includes the High Street, as well as Mill Road and Between Streets at either end of it (the High Street area). Whilst a range of building styles are evident in the High St area, the modern buildings therein generally respect the intimate scale of the more traditional buildings scattered throughout. This, along with features such as ornamental lampposts and an ornate public clock, give the High Street area a distinct, traditional village centre character.
8. There are a range of advertisements in the High Street area, but they largely take the form of fascia, projecting, and A-board signs relating to their host commercial unit. In the main, the High Street area reflects the aims of Policy DM15 of the Elmbridge Development Management Plan (2015) (the DMP) insofar as advertisements are well-designed, proportionate in scale to their surroundings, and complement the character and materials of host shopfronts and the street. This contributes to the High Street area having a consistent, attractive appearance, and to its traditional feel. Within this, the absence of independent advertising boards and of electronic screens are notable and contributory.
9. Towards the western edge of the High Street area is Oakdene Parade, a mixed-use development including commercial units facing Between Streets and Anyards Road (the parade). Wrapping around the outside of the access to the parade is a continuous strip of hard and soft landscaping, incorporating verdant planting beds and trees (the landscaping strip). Structures in the strip are limited in number and simple in appearance, comprising lampposts, street name signs, and small benches. As a result, the natural features within the landscaping strip are its defining characteristic, and its largely undeveloped and verdant nature enhances both the setting of the parade and the approach to the High Street area from the west. There are no advertisements in the landscaping strip.
10. The advertisement proposed in the appeal comprises an illuminated LED screen some 1.8m tall and 1m wide, displayed within a multifunctional hub which would elevate the screen some 500mm from the ground. It would be midway between two mature trees in the landscaping strip on a paved area, and face westward so as to be visible to those arriving in the High Street area from the west.
11. Whilst displays would be static, with the level of illumination and speed of change controlled, the proposed advertisement would nevertheless be visually striking due to its size and the openness of the paved area around it. Its presence at the appeal site would be significantly at odds with the largely undeveloped, naturalistic character of the landscaping strip and, in the context of that immediate setting, it would appear invasive. This would undermine the benefits of the landscaping strip to the setting of Oakdene Parade, and to the approach to the High Street area. In the wider local context, the proposed advertisement would be at odds with the discreet nature of existing advertising and signage, and harmful to the traditional, village centre character.

12. The proposed advertisement would pay for the provision of the multifunctional hub on which it would be displayed, and which would provide various communication services. In addition, it could be used to display public service announcements and campaigns. I have no reason to doubt that it would be well maintained. However, these factors are not capable of mitigating the harm to the amenity of the area identified above.
13. In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the provisions of the development plan, insofar as they are relevant, have been considered. As I have concluded that the advertisement harms the amenity of the area, the scheme does not meet with the aims of Policy DM15 of the DMP which seeks, amongst other things, to ensure that advertisements are well designed to ensure they do not harm visual amenity.
14. For the same reason, the proposal would also be contrary to the provisions of paragraph 141 of the Framework which states, amongst other things, that the quality and character of places can suffer when advertisements are poorly sited.

### **Conclusion**

15. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity. The appeal is dismissed.

*A Knight*

INSPECTOR