



Appeal Decision

Site visit made on 15 April 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 MAY 2025

Appeal Ref: APP/K3605/Z/25/3360098

Petrol Filling Station, 11 Portsmouth Road, Cobham, Surrey KT11 1JF

- 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 Sainsbury's Supermarkets Ltd against the decision of Elmbridge Borough Council.
 - The application Ref is 2024/2542.
 - The advertisement proposed is described as 1 freestanding banner advertisement -
Height - 1.6 metres;
Width - 6.3 metres;
Depth - 0.1 metres;
Height from the ground to base of the advertisement - 0.69 metres;
Maximum projection of the advertisement from the face of the building - 0 metres;
Maximum height of individual letters and symbols - 91 centimetres;
Materials of Advertisement - Metal structure and vinyl/plastic advertisement sheets;
Colour of text and background - Multicoloured text and background; and
Non-illuminated.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although the evidence infers the advertisement has been erected, on visiting the site it was apparent it had been removed.
3. The National Planning Policy Framework (the Framework) was amended in February 2025. Nevertheless, the sections pertinent to this appeal have not changed so the revised version has been referenced in this decision.

Main Issue

4. Paragraph 141 of the Framework states advertisements are subject to control only in the interests of amenity and public safety. This is prescribed within Regulation 3(2) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the COA).
5. No objection has been raised on the grounds of public safety and there is nothing before me to conclude otherwise. Therefore, the main issue is the effect of the appeal proposal on amenity.

Reasons

6. The appeal site is to the front of the low-level landscaping that delineates the petrol station forecourt from the Bridgeway / A245 roundabout. The petrol station

and adjacent boarded up building, which was previously used as a restaurant, along with the roundabout are positioned between a wider residential area and the open land and woodland around the River Mole. This area has a transitional and functional character and echoes the wider somewhat commercial corridor along the A245, a through road for the area. There are various non-illuminated signs along this section of the A245 which in the main relate to the uses adjacent to that signage in a series of smaller signs around the roundabout itself.

7. The proposed advertisement would be non-illuminated and positioned parallel to the rear of the pavement. By its nature it would be highly visible but would be read in conjunction with the linear form of the petrol station canopy. This along with the semi-commercial appearance of the area, would mean the location and size of the proposal would not be so out of character to constitute harm.
8. However, the actual design of the proposed advertisement, a frame with changeable banner, would have a temporary, poor-quality appearance if the banner is not properly attached, as shown on page 3 of the submitted plans. This would draw undue attention to the construction of the advertisement rather than what it is seeking advertise and therefore have an unduly detrimental visual impact detracting from its surroundings.
9. The proposed advertisement would therefore have an adverse impact on the quality and character of the local area so harm its amenity. It would not comply with Paragraph 141 of the Framework, or Regulation 3(2) of the COA. It would also fail to comply with Development Management Plan (DMP) Policy DM15 as far as it seeks to control advertisements, and DMP Policy DM2 and Elmbridge Core Strategy (CS) Policy CS17 insofar as they seek high-quality design.
10. The Council has also referred to CS Policy CS10 which sets out the strategic development goals for the Cobham, Oxshott, Stoke D'Abernon and Downside area. This does not relate to advertisement so is not determinative.

Other Matters

11. It is recognised that consent is being sought via appeal¹, for a free-standing totem sign also on the appeal site. This is retrospective, but I have taken into consideration that, at this stage, no decision has been issued.

Conclusion

12. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

RJ Redford

INSPECTOR

¹ APP/K3605/Z/24/3355597