



Appeal Decision

Site visit made on 4 June 2025

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025

Appeal Ref: APP/L3625/Z/25/3364411

Highway land opposite Bridge House, Brighton Road, Redhill, RH1 6PW.

- 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 Sandash Punj (Trueform Engineering Limited) against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 25/00082/ADV.
 - The development proposed is for a double sided free standing digital information and advertising display unit.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. In this decision I have used the description for the proposal as set out in the Council's decision Notice. This is because it is concise and refers to the display unit as opposed to the operation of the display panels within it.

Main Issue

3. The main issue is the effect of the proposal on the character and amenity of the area.

Reasons

4. The appeal site is situated within an urban mixed retail and commercial area. It is characterised by a mixture of older terraced retail properties with commercial and residential uses at first floor level, together with large modern commercial properties.
5. The proposed double sided free standing digital information and advertising display panel (display unit), would project above the ground by 2.750 metres and would be 1.140 metres wide and 0.280 metres deep. It would have a black polyester powder coated aluminium frame and digital LCD panels on both sides. The sequenced static advertisement images would change every 10 seconds and the panels would be programmed not to exceed 300cd.sq.m at night. This would fall within the recommendations set out under the Institute of Lighting Professionals - Professional Lighting Guide No.5 2015: The Brightness of Illuminated Advertisements. The proposed panels would also have built-in sensors to allow them to adjust to the ambient light levels and would not operate between the hours of 12pm and 5am.

6. Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (TCPCA), states that a local Planning Authority shall exercise its powers under these regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other factors.
7. TCPCA Regulation 3(2) states with without prejudice to the generality of paragraph 3(1)(b) factors relevant to amenity include general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The Planning Practice Guidance (PPG) advises that in relation to advertisements amenity is usually understood to include visual and aural amenity in the immediate neighbourhood of an advertisement.
8. In relation to advertisements policy DES10 of the Reigate and Banstead Development Management Plan 2019 (DMP), states that advertisements and their supporting structures will be considered favourably where they do not harm the character and amenity of the area, taking into account their individual and cumulative impact and do not add unacceptably to street clutter. Signage and advertisements should be of an appropriate size and design to complement and enhance the appearance, character and vitality of the area. Illumination should be provided in a discreet and subdued manner.
9. Paragraph 141 of the National Planning Policy Framework 2024 states that poorly sited advertisements can have a negative impact on the quality and character of places. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Consideration has also been given to DMP Policy DES1. As it requires development to respect the character and appearance of the area it is material to the consideration of this appeal.
10. The stretch of pavement where the proposed display panel would be displayed is partially used for a cycle path and is open and uncluttered. The absence of buildings immediately to the rear of the pavement adds to its sense of openness. The proposed display unit would be sited centrally within the pavement a short distance from the railway bridge. It would also be near a large elevated static non-illuminated advertisement panel located to the front of the railway line. The pavement is narrower at this point and the advertisement is set back from the pavement, within an area of dense planting. For these reasons the existing advertisement panel relates visually to the railway bridge and does not impact on the open and uncluttered nature of the pavement.
11. Whilst there are signs to the front and side of the existing car dealership building and forecourt, they are located further to the south and contained within the car dealership site. The pavement on the opposite side of Brighton Road is narrower and flanked by commercial properties with predominantly narrow frontages and some with small forecourts. This, together with their fascia and forecourt signage creates a traditional busy and cohesive local retail and community environment with its own identity.
12. Due to its siting within the middle of an open and uncluttered wide pavement the proposed illuminated display panel would appear unduly dominant, random and out of context when approaching from either direction along Brighton Road. It would introduce street clutter within this area of open pavement. In addition, when approaching from the south the proposal display panel would be

seen to one side and below the existing advertisement to the front the railway line. Their cumulative impact would be visually excessive and enclosing.

13. Whilst the submitted evidence states that 10% of the appellants advertisements display units within the borough would include a narrow sedum roof it is not stated whether the appeal unit would include one. Irrespective of this the provision of a sedum roof on the proposed display panel would not address the concerns raised above.
14. For these reasons the proposed display panel would unacceptably harm the character and amenity of the area. This harm is not something that could be adequately addressed through the imposition of conditions.
15. It is accepted that there is a need for every advertisement. However, as stated in paragraphs 6 and 7 of this decision only interests of amenity and public safety can be taken into account. Accordingly, the points included in the appeal submissions relating to local advertising discounts, free community and emergency messaging and various other social commitments are not related to the amenity of the display panels and so they are not material to this decision.
16. Finally, the Council has not raised any concerns relating to public safety. From my site visit and having regard to the siting of the proposed display unit I similarly consider that the proposal would not have a materially adverse impact on highway safety.
17. I conclude that the proposed display panel would unacceptably harm the character and amenity of the area and would conflict with DMP Policies DES1 & DES10.

Elizabeth Lawrence

INSPECTOR