



Appeal Decision

Site visit made on 4 June 2025

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2025

Appeal Ref: APP/L3625/Z/25/3364979

Highways land opposite 33 London Road, outside Sainsbury's, London Road, Redhill, RH1 1NN.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sandash Punj (Trueform Engineering Limited) against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 25/00080/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. The reason for 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 outside the main pedestrianised retail area, along a stretch of London Road that is flanked by large retail supermarkets and other commercial buildings and car parks. It is one of the main pedestrian routes into the pedestrianised area, which is a vibrant and attractive pedestrianised area with enclosed tree lined walkways and an abundance of street furniture. As pointed out by the appellant the site is not within a conservation area or within the setting of one. Although Redhill Town Centre Conservation Area is a short distance to the south, it is screened from the appeal site by the pedestrianised area. It is also several roads away from Warwick Road Conservation Area.
5. The proposed free standing digital information and advertising display unit (display unit) would be located within the pavement opposite the junction of London Road and Clarendon Road and outside a large modern Sainsburys store. This part of the store is characterised by a tall canopy supported by

- columns which provides cover to the access to the store and a row of cycle stands within a recess behind the inner line of the pavement.
6. The pavement to the front of the supermarket is largely devoid of street furniture, other than three low utility boxes, a cash point machine in the wall of the supermarket building and associated small projecting box sign. Beyond the supermarket and at the entrance to the pedestrianised area the level of street furniture materially increases and includes a free-standing illuminated display unit. On the opposite side of London Road the street furniture is limited to highway and car park signage, a street light and occasional bollards. Again, the level of street furniture increases close to the pedestrianised area.
 7. Concerning the display of advertisements, Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 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.
 8. TCPA 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 amenity is usually understood to include visual and aural amenity in the immediate neighbourhood of an advertisement.
 9. The proposed display panel 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 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.
 10. Policy DES10 1,a.& 2 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, having regard to 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 and lighting should be limited to the advertisement element and not the full width of the fascia.
 11. Paragraph 141 of the National Planning Policy Framework 2024 (Framework) states that poorly sited advertisements can have a negative impact on the quality and character of places. Also that they 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. This is because it requires development to respect the character and appearance of the area it is material to the consideration of this appeal.

12. The proposed sign would project close to the kerb and would project into the pavement by some 1.592 metres. Due to its height, form, illumination and distance from the pedestrianised area it would appear highly prominent and out of place within the street scene. Its addition would detract from and undermine the spacious character of the street scene and its contrast with the more vibrant pedestrianised area.
13. The appellant has stated that 10% of their advertisement display units within the borough would include a narrow sedum roof, although it is not stated whether the proposed display unit would have a sedum roof. Irrespective of this the provision of a sedum roof on the proposal display panel would not address the concerns raised.
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 paragraph 7 of this decision only interests of amenity and public safety can be taken into account. As the points included in the appeal submissions relating to local advertising discounts, free community and emergency messaging and other social commitments do not relate to the amenity of the display panels they fall outside the scope of this decision.
16. Finally, having regard to the siting of the proposed panel I agree with the council that the proposal would not have an unacceptable 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