



Appeal Decisions

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 A Ref: APP/L3625/Z/25/3364785

Highways land in-between Ponehouse & Mayhews, Victoria Road, Horley, RH6 7AY

- 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 25/00083/ADV.
 - The development proposed is for a double sided free standing digital information and advertising display unit.
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Appeal B Ref: APP/L3625/Z/25/3364406

Highways lane outside Jack Fairman PH, 28A Victoria Road, Horley, RH6 7PZ

- 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.
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Decisions

Appeal A Ref: APP/L3625/Z/25/3364785

1. The appeal is dismissed.

Appeal B Ref: APP/L3625/Z/25/3364406

2. The appeal dismissed.

Preliminary matters

3. I have considered Appeal A and Appeal B on their own individual merits. However, as the proposed advertising display units are identical, I have dealt with them together to avoid duplication. With both appeals I have taken the description for the developments from the Decision Notices as they are concise and refer to the proposed display units rather than the nature of the advertisement panels within the units.
4. In relation to 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.
5. 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.
 6. Both appeals have been determined in accordance with the above regulations and guidance.
 7. It is accepted that there is a need for every advertisement. However, as stated in paragraphs 4 and 5 of this decision only interests of amenity and public safety can be taken into account. Accordingly, as the points included in the appeals 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 they are not material to this decision.

Main Issue

8. With both proposals the main issue is the effect of the proposal on the character and amenity of the area.

Reasons

9. The proposed advertisement display units would both project above the ground by 2.750 metres and would be 1.140 metres wide and 0.280 metres deep. They would have a black polyester powder coated aluminium frames 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. Amongst other things policy DES10 1.a & 2 of the Reigate and Banstead Development Management Plan 2019 (DMP), state 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. They should 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. As DMP Policy DES1 requires development to respect the character and appearance of the area it is also material to the consideration of these appeals. 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 any cumulative impacts.

12. Both appeal sites are located close to Massetts Road Conservation Area. As stated in Paragraphs 212, 213 and 215 of the Framework, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to its conservation. Any harm to the significance of a heritage asset from its alteration or destruction or from development within its setting should require clear and convincing justification. Where a proposal would result in less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. DMP Policy NHE9 looks to preserve and where possible enhance heritage assets and the historic environment.

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13. The proposed display panel would occupy a prominent and central position at the entrance to Princess Precinct, which is a pedestrianised road linking Victoria Road and Albert Road. It contains a significant amount of street furniture sited in a central row along the precinct which predominantly comprises, planters, seating, refuse bins and street lighting. In addition, there are occasional A signs outside some of the shops. This signage along with the fascias and projecting signs are modest in form and appearance and typically non-illuminated. At the Albert Road end of the precinct are some signs relating to vehicular access, along with a several low level bollards. At the Victoria Road end of the precinct, where the proposed display panel would be sited, are road signage and lights, a utility cabinet, bin and a street lamp with a planter around its base.
14. Overall, I found the precinct environment to be a carefully planned, subtle and attractive environment for the community and from the evidence submitted it is noted that the precinct is used for community events.
15. The proposed display panel and associated illuminated advertisements would dominate the entrance to the precinct when viewed from along Victoria Road in both directions. It would be out of keeping with the fascia's and other signage in the immediate area, as well as the overall character of the existing street furniture and shop fronts within the precinct. Whilst the proposed display panel would follow the central alignment of street furniture, due to its form, size, illumination and rotating display, it would appear incongruous and totally out of place. In addition, having regard to the proximity of the existing planter, street sign, bin and utility box I am concerned that the proposed display panel would result in the entrance becoming congested with street furniture. This would detract from the character and appearance of the entrance to the precinct.
16. The proposed display unit would be located directly opposite Massetts Road. Whilst the Massetts Road Conservation Area (MRCA) is set back from the junction with Victoria Road, there are clear views into Princess Precinct from the edge of the MRCA and vice versa. However, as the proposed display panel would be sited at right angles to Massetts Road I am satisfied that the narrow side elevation of the proposed display Panel would not interfere or detract from these views. As such the proposal would have a neutral impact on the significance of the MRCA.
17. 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 or not, this would include the proposed display units. Irrespective of

this the provision of a sedum roof on the proposal display panel would not address the concerns raised.

18. For these reasons the proposal would unacceptably harm the character and amenity of the surrounding area, but would not harm the character, appearance or significance of the MRCA.
19. With regard to public safety, I note that the Council has raised no highway safety objections. Whilst I am inclined to agree, had I found in favour of the appellant in relation to the main issue I would have sought a further drawing showing the precise siting of the proposed display panel in relation to the existing street furniture. This is to ensure that the proposal would not unacceptably obstruct pedestrian movement.
20. I conclude that the proposed display panel would unacceptably harm the character and amenity of the area and would conflict with DMP Policies DES1 and DES10.

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21. The appeal site is situated within a busy commercial area which includes smaller shops, supermarkets, a library public and residential uses above ground floor level. The proposed display panel would be located within a small pedestrianised area close to the pedestrian access to a large supermarket and a public house. It is also adjacent to the supermarket car park, a cycle lane, bus layby and the junction of Victoria Road and Russells Crescent.
22. There is a considerable amount of street furniture within and on the edge of the pedestrianised area including public house seating, benches, bus stop, soft planting, cycle stands, bins, street lights, highway signage and lights, pavement bollards and utility equipment. There are advertisement panels within the bus stop and signage on the commercial buildings, along with information panels. It is a busy area both visually and in terms of activity.
23. The proposed display panel would be located on the outer edge of the pavement and within the area occupied by cycle racks. It would also be close to the cycle path, pedestrian crossing lights, the signage within and adjacent to the bus stop, other street furniture and where the pedestrianised area narrows back to pavement width.
24. Due to its combined siting, height, width and method of display and illumination the proposed display panel would appear both dominant and poorly located within the pedestrianised area. Its juxtaposition with the cycle racks would be cramped and the proposed display panel would simply exacerbate the congested character of this part of the pedestrianised area.
25. For these reasons the proposed display panel would unacceptably harm the character and amenity of the surrounding area. This is not a matter that could be resolved through the imposition of conditions.
26. Whilst I note that the appeal site is sited near to the MRCA, it is separated from it by the controlled junction of Victoria Road, Russells Crescent and The Drive, along with the railings, bollards and traffic lights within the junction area. Also, the proposed display panel would be sited almost at Right angles to Russells

Crescent. As a result, the proposed display panel would be barely visible from the MRCA and it would not impact on views into the MRCA.

27. For these reasons the character and appearance of the MRCA would be preserved and the proposed display panel would have a neutral impact on its significance.
28. The appellant has stated 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 include a sedum roof. However, the provision of a sedum roof on the proposed display panel would not address the concerns raised.
29. Regarding vehicular and pedestrian safety, I note that no concerns have been raised by the council, although it has been acknowledged that the proposed display panel could obstruct access to the cycle racks. Little existing street furniture is shown on the submitted drawings. Having regard to the proximity of some of the existing street furniture to the proposed display panel, had I found in favour of the appellant in relation to the main issue I would have sought a further drawing from the appellant showing the proximity of the local street furniture to the proposed display panel. This is so that the impact on pedestrian and vehicular highway safety could be fully assessed.
30. I conclude that the proposed display panel would unacceptably harm the character and amenity of the area and would conflict with DMP Policies DES1 and DES10.

Conclusions

31. For the reasons given above and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

Elizabeth Lawrence

INSPECTOR