
Appeal Decisions

Site visit made on 6 June 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 July 2025

Appeal A Ref: APP/D3640/W/25/3360457

Land outside 88 High Street, Camberley GU15 3RS

- 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 New World Payphones against the decision of Surrey Heath Borough Council.
 - The application Ref is 24/1136/FFU.
 - The development proposed is Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
-

Appeal B Ref: APP/D3640/H/25/3360458

Land outside 88 High Street, Camberley GU15 3RS

- 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 New World Payphones against the decision of Surrey Heath Borough Council.
 - The application Ref is 24/1137/ADV.
 - The advertisement proposed is 1 no. Digital advertisement display within proposed new communications Kiosk.
-

Decision Appeal A

1. The appeal is allowed and planning permission is granted for the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display at Land outside 88 High Street, Camberley GU15 3RS in accordance with the terms of the application, Ref 24/1136/FFU, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Proposed New Communications Kiosk Elevations ref NWP-KIOSK/001, Site plan ref PY4623-036-002, Location plan.
 - 3) Prior to the kiosk being brought into use, measures to control anti-social behaviour shall be submitted to and agreed in writing by the local planning authority. The kiosk shall thereafter be managed in accordance with the approved measures.

Decision Appeal B

2. The appeal is allowed and express consent is granted for 1 no. Digital advertisement display within proposed new communications Kiosk at Land outside

88 High Street, Camberley GU15 3RS in accordance with the terms of the application, Ref 24/1137/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations, and the following additional conditions:

- 1) In daylight hours, the advertisement display luminance shall be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or subsequent amendments) in cd/m². In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m².
- 2) There shall be no special visual effects of any kind during the time that the advertisement is displayed or on transition between displays/images. The displayed image shall not include animated, flashing, scrolling, intermittent or video elements, and the transition between successive images shall not include fading, swiping or other animated transition method.
- 3) The displays hereby permitted shall not change more than once every 10 seconds. The use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.

Preliminary Matters

3. The description of development for Appeal B above is taken from the decision notice. This is in the interest of clarity.
4. Appeal A relates to the refusal of planning permission for the proposed digital communications kiosk. Appeal B is in respect of the refusal of advertisement consent for the digital advertising display integrated within the communications kiosk. I have dealt with the appeals on their individual merits, but as the advert screen is an integral part of the kiosk it is both convenient and appropriate to consider the appeals and their main issues together.
5. Emerging Local Plan policy is referenced in the reasons for refusal. These policies are consistent with other referenced development plan policies and the Framework, and therefore whilst they have not yet been examined nor adopted, they carry modest weight.
6. In respect of Appeal B, the Regulations, and the National Planning Policy Framework both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. I have taken relevant policies into account as a material consideration; however, they have not, by themselves, been determinative.
7. In relation to Appeal B, the Council has raised no dispute on the matter of public safety, and there is no objection from the local highways authority. Based on the evidence provided, and from what I have seen during my visit, I am satisfied that there is no substantive issue in this respect.

Main Issue

8. As such, the main issue in these linked appeals is the effect of the kiosk and its digital displays on visual amenity and the character and appearance of the surrounding area.

Reasons

Appeal A

9. The appeal site is located at the end of the High Street, near the junction with Pembroke Broadway/Portesbery Road. At this point, the High Street is characterised by a mix of modern development, such as the public house adjacent to the appeal site, and more traditional Edwardian and Victorian buildings further along the street and opposite the appeal site.
10. These historic elements make up the High Street Character Area as defined by the Camberley Town Centre Area Action Plan (2014) (CAP). I observed that these traditional buildings give the character area a consistent form and appearance. The CAP show that the appeal site sits outside this defined character area, and given the modern appearance of the immediate surroundings, does not contribute positively to its setting.
11. There is varied street furniture evident in the vicinity of the appeal site, such as public benches, bike racks, seating and tables outside various units, trees, lampposts, bins, communication equipment units and a post box.
12. The street and surroundings therefore have a mixed busy commercial character, however, given the width of the street, there is a sense of space which ensures that the various street furniture does not result in an impression of clutter, particularly on the appeal site side of the highway.
13. The addition of one further structure along the appeal side of the street would be comfortably accommodated within the space. Its siting would be broadly aligned with other street furniture in the vicinity and so would not be incongruous and the space surrounding it would mean that the perception of space would be maintained. The kiosk would not therefore be out of keeping with the surrounding public realm nor result in harmful clutter.
14. Its scale would be comparable to the existing phone box nearby and would be seen in the context of the adjacent 2-3 storey building with its externally illuminated first floor projecting sign, sited at a higher level. It would not therefore unacceptably draw the eye nor be overly prominent.
15. Given the limited scale and visual impact of the proposal, it would not harm the consistent traditional Edwardian and Victorian character found elsewhere on the High Street.
16. There was no external seating in this location at the time of my visit and limited detail of approved seating areas before me. The pavement is sufficiently wide at this point that, given the proposed siting in line with existing furniture, based on the information before me and what I observed, the development would not result in obstruction to pedestrians or other users of the pavement.

17. Each proposal is considered on its own merits. Whilst other applications for similar nearby schemes are referenced by the Council¹, it is stated that they have been refused permission. They do not therefore at present form part of the existing or future street scene and so carry little weight in my considerations.
18. I therefore conclude that the proposed development would not unacceptably harm the character and appearance of the area. As such, it would not conflict with Policies DM9 and CP12 of the Surrey Heath Core Strategy and Development Management Policies 2011-2028 (2012) (DM), Policy DH1 of the emerging Local Plan (LP) and CAP Policies TC1, TC11, TC12 and TC13, which seek, amongst other matters, high quality development that respects local character, including the High Street Character Area, including its setting.
19. The Council reference DM Policy CP11, however this relates to infrastructure and movement, specifically seeking improvements to public transport and seeking modal shift as well as reducing the need to travel. As such, this policy is not determinative in this instance.

Appeal B

20. The advertisement would be seen in the same context as the numerous surrounding illuminated signage at differing heights, which includes fascia signs and projecting signs, both illuminated and non-illuminated. Whilst there are no other nearby examples of digital advertisements, it would not therefore be out of keeping with the commercial character of the surroundings, and subject to appropriate controls on the level of illumination, I do not consider that it would be visually dominant.
21. The visual distance to the nearby signage would be sufficient to prevent an impression of a proliferation of advertisements. This includes the similar proposals outlined by the Council above. The proposal would not therefore result in excessive signage or a proliferation of advertisements that would harm the character of the surroundings, including the traditional Edwardian and Victorian character found elsewhere on the High Street.
22. I conclude that the proposed advertisement would not lead to harm to visual amenity. As such, it would not conflict with DM Policies DM9 and CP12, LP Policies DH1 and DH6 and CAP Policies TC1, TC11, TC12 and TC13 in so far as they seek to protect amenity

Other Matters

Appeals A & B

23. Given the nature of the proposal a ICNIRP certificate is not required. There is no substantive evidence before me that the proposal would lead to health issues, including a rise in screen addiction.
24. Conditions would restrict luminance levels to appropriate levels. The need for the advertisement is not required to be considered, as set out by the Framework. Similarly, the above policies do not require consideration of the sustainability and energy qualities of the kiosk.

¹ Set out in annex 2 of the statement of case. This also includes consideration of appeals APP/D3640/W/25/3360454 & APP/D3640/W/25/3360456 which are currently before me.

25. Given the scale and location of the development, I would not result in any harm to wildlife. The Council confirm that the proposal is not within a Conservation Area. There is no substantive evidence before me to contradict this.
26. The submitted kiosk management plan sets out suggestions to control anti-social behaviour, however as none are specifically identified for this particular site, a condition securing these measures is appropriate. Subject to this, there would be no harm in this regard
27. There is no substantive evidence before me that the proposal would directly affect commercial business of established retail operators. Given its siting, it would not obscure any existing signage or entrances. Similarly, little information is before me relating to the aims and objectives of future regeneration projects in the town centre. As such, given the lack of harm identified, I find no conflict in this regard.

Conditions

Appeal A

28. I have considered suggested conditions against the Framework's tests, making minor adjustments in the interests of clarity and precision.
29. I have imposed the standard time limit for commencement and, in the interests of certainty, a condition citing the approved drawings. A condition requiring compliance with the submitted management plan is necessary in order to ensure the kiosk is appropriately cleaned and maintained. Given the mixed surrounding context, a condition specifying external materials is unnecessary.

Appeal B

30. In addition to the standard five conditions, which includes the requirement to maintain the advertisement in a condition that does not impair the visual amenity of the site, conditions controlling luminance levels, display time and effects are necessary in the interest of the visual amenity of the area.

Conclusion

31. For the reasons above, both Appeal A and Appeal B are allowed.

B Phillips

INSPECTOR