
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/25/3360454

Land outside 35 - 41 Park St, Camberley GU15 3PE

- 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 24/1134/FFU.
 - The development proposed is the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
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Appeal B Ref: APP/D3640/H/25/3360456

Land outside 35 - 41 Park St, Camberley GU15 3PE

- 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 24/1135/ADV.
 - The advertisement proposed is the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
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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 35 - 41 Park St, Camberley GU15 3PE in accordance with the terms of the application, Ref 24/1134/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 Site Location Plan, Proposed site plan PY4623-036-001 REV A, Proposed elevations and floor plans, NWP-KIOSK/001,
 - 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 the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display at Land outside 35 - 41 Park St, Camberley GU15 3PE in accordance with the terms

of the application, Ref 24/1135/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. 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.
4. 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.
5. 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.
6. In relation to Appeal B, the Council has raised no dispute on the matter of public safety. 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

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

Reasons

Appeal A

8. Park Street is a busy largely pedestrianised shopping street in Camberley, where I observed varied street furniture evident in the vicinity of the appeal site. This includes public benches, bike racks, seating, tables and umbrellas outside various units, lampposts, bins, bollards, a phone box, directional signage and a tall freestanding sign for the nearby shopping centre.
9. The street and surroundings have a 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.
10. Its siting would be broadly aligned with other street furniture in the vicinity and so would not be incongruous. Its scale would be comparable to the existing freestanding sign and phone box nearby and given the room around the structure, the wider perception of space would be maintained. As such, the kiosk would not result in harmful visual clutter.
11. The kiosk would also not be overly prominent, nor out of keeping with the surrounding public realm. The commercial character of the street would be unaffected.
12. Each proposal is considered on its own merits. Whilst other applications for similar nearby schemes¹ are referenced by the Council, it is stated that they have not been granted permission. They do not therefore at present form part of the existing or future street scene and so carry little weight in my considerations.
13. I therefore conclude that the proposed development would not 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 Policies TC1, TC11 and TC13 of the Camberley Town Centre Area Action Plan (2014) (CAP), which seek, amongst other matters, high quality development that respects local character.
14. 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

15. The advertisement would be seen in the same context as the numerous surrounding illuminated signage on this busy commercial street, which includes fascia signs and projecting signs, both illuminated and non-illuminated, and a free-standing advertisement within the street close by.
16. As such, there is existing advertisement at different heights nearby, including at eye level.

¹ As identified in Appendix 1 of the Statement of Case. This also includes consideration of appeals APP/D3640/W/25/3360457 & APP/D3640/H/25/3360458 which are currently before me.

17. 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 in this well-lit area.
18. The width of the street and the visual distance to the nearby signage would be sufficient to prevent an impression of a proliferation of this form of advertisement. This includes the similar proposals outlined by the Council above. The proposal would not therefore result in excessive signage that would harm the character of the surroundings.
19. The proposed advertisement would not harm visual amenity. As such, it would not conflict with DM Policies DM9 and CP12, LP Policies DH1 and DH6 and CAP Policies TC1, TC11 and TC13 in so far as they seek to protect amenity.

Other Matters

Appeals A & B

20. 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.
21. 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 or management of the development.
22. 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.
23. Due to the width of the street and location approximately in line with existing street furniture would mean that the development would not impede pedestrian flow or result in any highway safety issues. 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.
24. There is no substantive evidence before me that the proposal would directly affect the 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

25. I have considered suggested conditions against the Framework's tests, making minor adjustments in the interests of clarity and precision.
26. In addition to the securing of anti-social behaviour management details set out above, I have imposed the standard time limit for commencement and, in the interests of certainty, a condition citing the approved drawings. Given the mixed surrounding context, a condition specifying external materials is unnecessary.

Appeal B

27. In addition to the standard five conditions, conditions controlling luminance levels, display time and effects are necessary in the interest of the visual amenity of the area.

Conclusion

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

B Phillips

INSPECTOR