



Appeal Decision

Site visit made on 4 August 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 AUGUST 2025

Appeal Ref: APP/C3620/Z/25/3367447

Highways Land outside Milners, 40 The Street, Ashted KT21 2AH

- 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 of Trueform Engineering Limited against the decision of Mole Valley District Council.
 - The application Ref is MO/2025/0143/ADV.
 - The advertisement proposed is erection of a double-sided free standing internally illuminated digital information and advertising display sign.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council altered the description during the consideration of the application to read 'erection of a double-sided free standing internally illuminated digital information and advertising display sign'. This is a more concise description and removes superfluous text from that set out in the application form. I have taken the description above which also appears in the appellants Statement of Case. I am satisfied therefore that the cases of the main parties would not be prejudiced by use of the above description. I have determined the appeal accordingly.
3. The Advert Regulations confine the assessment of advertisements to issues of amenity and public safety. The Council has not raised any concerns on public safety grounds and I have no reason to disagree.

Main Issue

4. The effect of the advertisement on the amenity of the area.

Reasons

5. The appeal site comprises a wide section of pavement to the south side of The Street, close to the junction with Rectory Lane. The site is to the front of Milners Store which is a commercial premise and is surrounded by a mix of predominantly commercial units of varying scale.
6. The proposal would introduce a freestanding, digital, double-sided sign which would be positioned on an open area of pavement and set forward of the nearby buildings. The luminance levels would not exceed the level recommended by the Institute of Lighting Professionals and the advertisement would not operate between midnight and 5am.

7. The siting of the proposal would be isolated on the pavement and due to its illumination with a changing display on both sides of the advertisement, would appear as a large, prominent, incongruous feature on the street scene. Within this section of pavement, there is a slimline lamp post which, due to its height, does not draw the eye and bike hoops tucked against the Milners building which gives them a discreet location. There is no other permanent street furniture within this section of pavement. It is noted there are temporary advertisements in the form of 'A' boards and other more discreet items of furniture such as bins on other parts of the pavement but none are of the size, scale and prominence of the proposal or within this particular area.
8. When viewed within the context of its surroundings, the proposal would add modern street furniture to an area which is currently free from visual clutter. The proposal would be sited in a prominent location which would detract from the existing street scene and would cause harm to the visual amenity of the area.
9. The content of the messaging on the advertisement does not directly relate to how the proposal would affect the visual amenity of the area, however, it is noted that the messaging could provide a public benefit to local residents in terms of essential Council messaging proposed to be screened. However, this potential public benefit is not considered to overcome the harm identified above.
10. For these reasons, I conclude the advertisement would have a harmful effect on the visual amenity of the area. The Council has drawn my attention to Policy EN4 of Mole Valley Local Plan 2020-2039. Whilst I have taken this policy into account as a material consideration, the powers to control advertisements under the regulations may be exercised only in the interests of amenity and public safety. These are matters which must be determinative.

Other Matters

11. My attention has been drawn to the height of buildings surrounding the site as providing context for the height of the advertisement. Whilst neighbouring buildings may be two-storey, the isolated location of the proposal on the pavement would make it appear as a stand-alone feature and the different type of development means the scale of the proposal would not be comparable to the scale of neighbouring buildings.
12. The site itself is not covered by any specific designations, but this does not obviate the need to protect the established character of the area where advertisements are typically small scale, non-illuminated and in many cases removable. I acknowledge that the petrol forecourt display is illuminated, as are traffic lights, but this is partially out of necessity and does not justify the erection of illuminated advertisements which are harmful to amenity.

Conclusion

13. For the reasons given above the appeal should be dismissed.

C Coles

INSPECTOR