
Appeal Decisions

Site visit made on 17 November 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 DECEMBER 2025

Appeal A Ref: APP/L3625/W/25/3369693

Land Outside 5a High Street, Horley RH6 7BE

- 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 Thomas Johnston of NWP Street Ltd against the decision of Reigate and Banstead Borough Council.
 - The application ref is 25/00875/F.
 - The development proposed is installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
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Appeal B Ref: APP/L3625/H/25/3369694

Land Outside 5a High Street, Horley RH6 7BE

- 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 Thomas Johnston of NWP Street Ltd against the decision of Reigate and Banstead Borough Council.
 - The application ref is 25/00876/ADV.
 - The advertisement proposed is installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Appeal A relates to the refusal of planning permission to install a communications kiosk, whilst Appeal B relates to the refusal of express consent to display advertisements on the kiosk. I have combined the appeals into a single decision letter as they are intrinsically linked and raise similar issues, however I have considered each appeal on its individual merits.
 4. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. In reaching my decision on Appeal B, I have had regard to the Development Plan policies cited in the evidence, but only in so far as these are material to amenity and public safety considerations.
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Main Issue

5. The main issue is the effect of the proposal on amenity, character and appearance of the area.

Reasons

6. The appeal site forms part of a pedestrianised precinct primarily comprising shops situated at the ground floor level. The precinct contains street furniture including lamp posts with regular spacing, permanent benches, planters, and information boards located centrally with wide footpaths either side. I also observed non-permanent chairs and tables set centrally within the precinct serving a nearby cafe. The layout of the precinct and streetscene was neat and orderly with little clutter which contributes positively to the character and appearance of the area.
7. The proposal would introduce a kiosk with a digital advertising display set towards the Victoria Road end of the precinct. Owing to a combination of its width, height and solid composition the kiosk would appear of notably greater bulk and massing than the nearby street furniture, with its orientation ensuring that this bulk and massing is prominent from views at both ends of the precinct. As a result, the proposal would appear imposing and intrusive within the streetscene adding disruptive clutter which would be out of keeping with the character and appearance of the area.
8. Therefore, in relation to Appeal A, I conclude that the proposal would be harmful to the character and appearance of the area which carries considerable weight against the development. The proposal would therefore conflict with Policies DES1, DES10 and INF3 of the Reigate and Banstead Local Plan Development Management Plan (2019). These policies, amongst other matters, seek to ensure that proposals are of a high quality that do not harm and make a positive contribution to the character and appearance of the locality and surroundings.
9. With regard to Appeal B, the proposal would have a harmful effect on the amenity of the area. The same development plan policies as above have been considered as far as they are material, and in this respect, the proposal would conflict with the development plan.

Other Matters

10. In relation to Appeal A, the appeal scheme would offer public access to telephony facilities along with wayfinding and mapping information. It would allow free calls to the emergency services and designated charities, whilst also being able to be used for emergency incident messaging. The proposal would offer opportunities for businesses to be able to advertise, and the kiosk would be subject to business rates generating economic benefits. The kiosk would also contain a defibrillator.
11. However, the proposal would be small in scale, and I do not have evidence before me demonstrating that there are deficiencies within the area of the facilities offered by the proposal. In these circumstances, these other matters would carry limited positive weight which would not outweigh the harm that I have identified.
12. It is stated that the appellant intends to plant an urban street tree for every kiosk they install, in conjunction with a charity partner and it is suggested that this could be secured by a Grampian condition. However, I have not been provided with any details as to where the tree would be planted and on what land. I therefore have

insufficient details to ensure that a condition would be necessary, relevant, enforceable, precise and reasonable in accordance with the tests as set out in paragraph 57 of the National Planning Policy Framework. Therefore, without a way to secure the planting, it would not carry any positive weight in favour of the proposal.

13. In relation to Appeal B, the Council's officer report sets out that it considers that the proposal would not result in harm to public safety. The evidence before me and my observations on site do not lead me to a different conclusion to that of the Council on this matter.
14. Both parties have referred to a nearby recently dismissed joint appeal for digital advertising displays¹. The appellant has highlighted differences between the proposal before me and the dismissed appeal, including its location within a different part of the precinct. However, each proposal should be considered on its individual merits which I have done so.

Conclusion

15. Appeal A: The proposed development would conflict with the development plan as a whole and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, I conclude that Appeal A should be dismissed.
16. Appeal B: For the reasons given, I conclude that Appeal B should be dismissed.

C Housden

INSPECTOR

¹ PINS refs APP/L3625/Z/25/3364785 & APP/L3625/Z/25/3364406