
Appeal Decision

Site visit made on 21 October 2025 by S Indermaur BA (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 FEBRUARY 2026

Appeal Ref: APP/P3610/Z/25/3364412

Highways Land Outside Colevin Interiors, 42-44 East Street, Epsom KT17 1HQ

- 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 Trueform Engineering Limited against the decision of Epsom & Ewell Borough Council.
 - The application Ref is 25/00157/ADV.
 - The advertisement proposed is the display of 1 x internally illuminated digital information and advertising screen
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The above mentioned regulations set out that powers thereunder shall be exercised 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 relevant factors.
4. The description on the application form is detailed and expansive. While I have taken that information into account, the wording used above is based on the decision notice as it more succinctly describes the proposals.
5. A planning application has not been made for a communication kiosk. There appears to have been a number of applications for advertisements with kiosks in the area. However, this has not been the case for this appeal site, and it does not form part of this proposal which is therefore purely for an internally illuminated digital information and advertising screen. The Council does not object to it on public safety grounds and I have no reason to disagree. The main issue of the appeal is therefore its effect on amenity.

Reasons for the Recommendation

6. The appeal site relates to a footpath outside of an office building. The surrounding area is built up with a variety of building styles. It is commercial in character and mostly consists of offices with some residential uses in the upper floors and a small amount of retail. There is a bus stop nearby and a separate telephone stand which both contain static advertisement boards. Other advertisements consist of store

signage and adverts in ground floor windows as well as others associated with services and offices. Street furniture in the area consists of bollards, a bin, lighting columns, electrical boxes and railings.

7. Planning Practice Guidance explains that amenity is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for a display where residents or passers-by will be aware of the advertisement. The National Planning Policy Framework (Framework) states that poorly placed advertisements can have a negative impact on the appearance of the built environment.
8. The proposed advertisement would be in close proximity to and would be seen alongside the existing advertisements. This would lead to a high concentration of advertisements in a short distance of each other, which would create a cramped appearance. Whilst I agree advertisements need to be visible, the position of the appeal scheme would detract because of the similar positioning of the other adverts and compact space to view them in. This would negatively affect the way the area functions, to the detriment of amenity.
9. Although the area is commercial; there is a lack of retail uses and associated advertisements other than for a modest amount of signage which is mostly associated with immediate offices and services. As such the surrounding area is largely free of advertisements. Furthermore, there isn't a large amount of street furniture located in the surrounding area. Therefore, there would be a concentration of advertisements within one small section of pavement, which would juxtapose against the otherwise mostly open nature of the street scene. As such the advertisement would not protect the character of the townscape.
10. The proposal would therefore cause harm to the amenity of the area and, as far as they are material to the main issue, it would fail to accord with the aims of Policy CS5 of the Core Strategy 2007 and Policies DM9, DM10 and DM15 of the Development Management Policies Document 2015 (DP), as well as Section 12 of the Framework. Amongst other things, these seek high quality design which respects local context and visual amenity of the area. Policy DM14 of the DP and the Shopfront Design Guide principally relate to shopfront design and not individual advertisements. In any case, the LP is not determinative for schemes under the above regulations.

Other Matters

11. The advertisement board is proposed to be finished in high quality materials and using similar colours to the window frames of a nearby building. In addition, the appellant has stated that the appeal site does not have any special interest characteristics and that they would be willing to accept a suitably worded condition to limit the use of lighting between 00:00 and 05:00. However, these factors would not overcome the harm identified which would extend to wider matters.
12. The appellant has secured an agreement with Surrey County Council to deliver an initial offering of 50 advertising units on highway access across Surrey, offering a discount on their normal advertising rates and free space to be provided to support social, environmental and wellbeing messages. Moreover, and in emergency situations, the advertising boards can also be used to notify the public. Income generated by the Council will be used to maintain and improve highways and the natural environment, providing wider benefits to the residents, visitors and

businesses of Surrey. Putting aside the limitations of the scope of the regulations for taking such matters into account, the benefits associated with one installation would be very limited and would not be sufficient to make the scheme acceptable.

Conclusion and Recommendation

13. For the reasons given above, the appeal scheme would fail an assessment against the regulations set out. I therefore recommend the appeal should be dismissed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR