



Appeal Decision

Site visit made on 25 February 2026

by **E Everitt BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th March 2026

Appeal Ref: APP/K3605/Z/25/3376757

Petrol Filling Station, 122 Portsmouth Road, Thames Ditton, Surrey KT7 0XF

- 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 Wildstone Estates Limited against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/2297.
 - The advertisement proposed is erection of a D6 small-format advertisement display.
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Decision

1. The appeal is allowed and express consent is granted for erection of a D6 small-format advertisement display at Petrol Filling Station, 122 Portsmouth Road, Thames Ditton, Surrey KT7 0XF in accordance with the terms of the application, Ref 2025/2297. 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.

Preliminary Matters

2. The Regulations¹ to control advertisements may be exercised only 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. In my determination of this appeal, the policies by themselves have not been decisive.
3. The Council raise no concerns in relation to public safety. Based on the evidence before me and my observations on site, I see no reason to take a different view.
4. The appellant has submitted revised plans as part of the appeal process, amending branded signage to reflect the change in the operation of the petrol filling station. While the appeal process should not be used to evolve a scheme, the revised plans would not change the proposal subject of the original application. The revised plans show the branded signage that I observed on site. In this context, and given that the amended plans were provided at the request of the Council, I do not consider that the Council or other parties would be prejudiced by my acceptance of the revised plans. I have, therefore, had regard to them in determining the appeal.

Main Issue

5. The main issue is the effect of the proposed development on the amenity of the area.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Reasons

6. The appeal property is a petrol filling station located to the north of the A307 Portsmouth Road. I observed on site that there are various existing advertisements on the forecourt, including monolith signs, flag advertising, fascia signs, projecting signs, price markers and price displays. As a result of the use and existing advertisements, the site exhibits a commercial character.
7. The surrounding area predominantly comprises residential dwellings although there are some commercial uses including car dealerships with associated advertisements. The area is also characterised by its relationship with the A307, which I observed to be a relatively busy road containing various street furniture. Consequently, even though the surrounding area as a whole has a broadly residential character, the immediate surroundings have a more mixed character, with which the petrol filling station is consistent.
8. The appeal proposal is for a free-standing digital advertisement display. It would be located within the existing forecourt, perpendicular to and set back from the highway. The display would be seen in the context of the boundary wall at the east of the appeal site, with which it would be parallel, and adjacent to existing advertisements. The wall and some of the existing advertisements are of a broadly comparable height to the appeal proposal. In this regard, although the advertisement display would be a solid structure, it would be of such a scale that it would, in the context of the existing site, not appear incongruous, prominent or visually intrusive.
9. Moreover, on the basis of the information before me, I am satisfied that the illumination of the advertisement display would not result in it appearing more prominent than the existing non-illuminated advertisements present on the site, including those close to the site access and highway. In particular, the use of threshold controls, timers and light sensors would ensure that the brightness of the display responds to the time of day and year as well as ambient conditions, thereby avoiding an unduly prominent appearance.
10. While the proposal would increase the extent of advertising visible at the appeal property, the increase would be relatively modest given the scale of the proposed advertisement display. As such, based on my observations on site, I am satisfied that the proposal would not lead to the site appearing visually cluttered. Consequently, the proposal would not detract from the existing mixed character of the surrounding area.
11. The appellant advises that the display would be used for local and national campaigns as well as advertisements for goods and services sold on site. I acknowledge that the advertisements shown may not always have a direct association with the existing business on site. Nevertheless, this would not prevent the advertisement display integrating with its surroundings or result in harm to the amenity of the area.
12. I, therefore, conclude that the proposal would not have a harmful effect on the amenity of the area.
13. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant. Policies DM2 and DM15 of the Elmbridge Local Plan Development Management Plan (2015) seek to, amongst

other things, preserve or enhance the character of the area and ensure advertisements are well designed, do not harm visual amenity, are in proportion to their surroundings and do not result in undue clutter. I have concluded that the proposed development would not harm amenity and, therefore, the proposal does not conflict with these policies.

Conclusion

14. For the reasons given above, and having had regard to all matters raised, the appeal should be allowed.

E Everitt

INSPECTOR