



Appeal Decision

Site visit made on 26 May 2026 by R Higgins BSc MRes

Decision by T Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2026

Appeal Ref: APP/K3605/Z/25/3376790

195 Hurst Road, West Molesey, KT8 1SE

- 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 Ltd against the decision of Elmbridge Borough Council.
 - The application Ref is 2025/2171.
 - The advertisement proposed is 1 internally illuminated digital freestanding single-sided display sign.
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Decision

1. The appeal is allowed and the express consent Ref 2025/2171 for 1 internally illuminated digital freestanding single-sided display sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m² in accordance with the recommended maximum night time luminance value set out for Environmental Zone 4 in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².

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

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The reasons for refusal refer to a number of policies. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. Consequently, the Council's policies have not by themselves been decisive in my determination.
4. The description of the proposed advertisement as detailed on the application form has been amended in subsequent documents. I have adopted the description used

in the Council's decision notice, which reflects accurately and concisely the proposal before me.

Main Issue

5. The council has raised no objection in respect of public safety, and I observed nothing which would lead me to dispute this conclusion. Accordingly, the main issue is the effect of the proposed advertisement on visual amenity.

Reasons for the Recommendation

6. The appeal site is positioned adjacent to a busy highway within a mixed-use area characterised by a strong commercial presence. Its immediate surroundings include a petrol station and a supermarket, both of which contribute to an environment where illuminated signage and commercial advertisements are already established features. A number of existing advertisements are present within the wider setting, reinforcing the commercial character of this stretch of the highway. To the side of the proposed advertisement location sits a small grey unit, which forms part of the existing visual context but is not shown on the submitted plans.
7. Residential properties are present within the wider area, though they are set at varying distances and degrees of separation from the proposed advertisement. The closest dwellings comprise three-storey terraced houses located beyond the commercial forecourt. A block of flats also overlooks the petrol station, forming part of the established mixed-use character. Additional housing is located on Linkfield; however, these dwellings are separated from the appeal site by the main highway, a grassed verge, and a secondary smaller highway, creating a clear physical and visual buffer between the proposed advertisement and these residential receptors.
8. Overall, the site sits within a transitional zone where commercial activity dominates the immediate streetscape, and where illuminated signage is an expected and established component of the local environment.
9. The proposed advertisement would sit comfortably within the predominantly commercial context of the appeal site. Given the presence of a petrol station, supermarket, and various existing advertisements in the immediate vicinity, the introduction of a single-sided illuminated display would be consistent with the established character and visual expectations of the area. The minimal scale and form of the proposal, particularly in comparison with the petrol forecourt, would ensure that the advertisement integrates with the surrounding street scene and not appear visually intrusive or out of place.
10. Concerns have been raised regarding potential light pollution. However, the proposed display is one-sided, with the illuminated face directed towards the highway and the commercial forecourt, and crucially away from the nearest residential properties. The closest dwellings are already separated by a combination of distance, the main highway, a grassed verge, and secondary road infrastructure. As a result, any additional light spill would be minimal and directed towards an area where artificial lighting is already a characteristic feature.
11. Furthermore, any residual lighting effects can be appropriately controlled through conditions, such as limits on luminance levels. With such measures in place, the

proposal would result in very limited additional light impact and would not give rise to unacceptable harm to residential amenity.

12. Accordingly, the advertisement does not result in harm to the amenity of the area. I have taken account of the Policies DM2 and DM15 Elmbridge Local Plan Development Management Plan (2015) which seek, amongst other things, advertisements that respect their context with suitable regard to considerations of amenity, and so is material in this case. Given I have concluded that the advertisement will not harm amenity, it does not conflict with these policies.

Conditions

13. In addition to the five standard conditions set out in the Regulations I have also imposed one additional condition in line with what is proposed and in the interests of ensuring the amenity of the area is not harmed by the advertisement. I have imposed a condition restricting the brightness of the screen during nighttime hours to prevent any additional light pollution to residents in the area.
14. I note that the Council has not recommended any conditions beyond the five standard conditions prescribed by the Regulations. Whilst the appellant has proposed a further six conditions, in addition to the standard time-limit condition and the condition imposed above, I have reviewed these and conclude that they are unnecessary for the reasons set out below.
15. The approved plans are already incorporated within the advertisement consent itself, meaning an additional condition serves no additional planning purpose and is therefore unnecessary.
16. Conditions restricting moving images and animation, minimum display durations, interval times, and the use of images resembling road signs or traffic signals are considered unnecessary, as the proposal would not give rise to any risk to public safety and there is no evidence to justify the imposition of such restrictions.
17. A condition restricting daytime luminance is also considered unnecessary, as the site is located within a busy commercial environment where the proposed advertisement would not result in any unacceptable impact on visual amenity.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

R Higgins

APPEAL PLANNING OFFICER

Inspector's Decision

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

T Law

INSPECTOR