



Appeal Decision

Site visit made on 22 April 2025

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 May 2025

Appeal Ref: APP/Q1445/Z/25/3362539

22 Carlton Terrace, Portslade, Brighton & Hove, BN41 1XF

- 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 Alight Media against the decision of Brighton & Hove City Council.
 - The application Ref is BH2025/00048.
 - The advertisement proposed is new single illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

3. The appeal property is a two-storey, semi-detached building. Whilst largely retaining its appearance as a former villa, it is currently in a commercial use. The adjacent buildings to the south-west, together with Nos 28 and 30 Carlton Terrace to the north east, are also in commercial uses although they have also, in part, retained their appearance as former villas, with moderately low-key commercial signage.
4. Further to the south of the site, heading towards Portslade railway station, the area becomes more mixed in character, with a wider range of commercial uses, parades of shops and a supermarket. However, towards the junction of Carlton Terrace and the A270, there are residential dwellings and larger apartment buildings and the eastern side of Carlton Terrace, opposite the appeal site, is characterised by semi-detached and detached residential dwellings. Therefore, whilst the appeal property is located on the edge of a commercial area, the site has a strong residential context.
5. The proposed illuminated digital advertisement display would show a range of static images and would be mounted on the flank wall of the appeal property, facing south bound traffic along Carlton Terrace. Carlton Terrace is a straight, well-lit road with good visibility. The advertisement would therefore be viewed partly in conjunction with a range of illuminated and non-illuminated fascia and other free-standing signs further to the south-west of the site where more commercial uses are present. However, owing to the size of the advertisement, measuring 6m wide

and 3m high, together with its height above ground and illuminated nature, it would dominate the side elevation of the building above ground level and would be highly prominent when viewed from the road and nearby buildings.

6. From what I could see, the overall size and elevated height of the advertisement display would significantly exceed other advertisements in the area and along with its illuminated nature, would cause it to stand out as being overly large and incongruous in this location, where it would be seen in context with the nearby two storey residential dwellings. Consequently, the proposal would be visually intrusive and would represent an inappropriate incursion into this partially residential environment, resulting in harm to the amenity of the area.
7. I acknowledge that conditions could be imposed to control hours of illumination, luminance levels, and the frequency and manner of change between images, amongst other things. However, the imposition of conditions would not overcome my concerns regarding the inappropriate location of the proposal development and its harmful effect on amenity.
8. I acknowledge the various examples provided by the appellant concerning other digital displays of a similar scale which the Council have granted advertisement consent, including several that are close to residential dwellings. Whilst I accept that there are some similarities, it is difficult to draw comparisons between the various locations that are distant from the appeal site and the particular circumstances of each case. In any event, I am required to determine the appeal on its own merits.
9. In accordance with the Regulations, I have taken into account the provisions of the development plan in so far as they are relevant. Policy CP12 of the Brighton & Hove City Plan Part One (2016) and Policy DM24 of the Brighton & Hove City Plan Part Two (2022) seek to protect amenity (amongst other matters) and so are relevant in this case. I have concluded that the proposed advertisement would harm amenity and therefore the proposal conflicts with the above policies.

Other Matters

10. I acknowledge the correspondence provided by the appellant indicating the case officer's initial support for the proposal. However, it is inevitable that sometimes the Council's view of an application will evolve during the decision-making process. I have determined the appeal on its own merits and indeed have agreed with the formal decision of the Council.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR