



## Appeal Decision

Site visit made on 7 February 2025 by R Parker BSc (Hons)

### Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23<sup>rd</sup> May 2025

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### Appeal Ref: APP/Q1445/Z/24/3353531

#### 178 Sackville Road, Hove BN3 7AL

- 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 Brighton & Hove City Council.
  - The application Ref is BH2024/01256.
  - The advertisement proposed is described as 'Upgrade of existing 48 sheet advert to support digital poster.'
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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

3. The control of advertisements relates only to public safety and amenity. Regulation 3 states that these powers shall be exercised having regard to the provisions of the development plan, so far as they are material, and any other relevant factors considered. No concerns regarding public safety have been raised by the Council. Having reviewed the available evidence, I see no reason to disagree with them.

### Main Issue

4. The main issue is the effect of the proposal on the amenity of the area.

### Reasons for the Recommendation

5. The area surrounding the appeal site is mixed in character, consisting of residential streets interspersed with some commercial and industrial units. Although it is adjacent to a small commercial parade, these buildings are of a two-storey scale comparable to the residential street on which the site is located. The appeal building occupies a prominent corner plot, and is clearly visible from some distance.
6. The proposed advertisement would replace an existing 48 sheet poster display of the same width and height, and would be similarly positioned. The appellant's submissions indicate that the advertisement has been in situ for over ten years and

thus benefits from deemed consent. This is not disputed by the Council. Since the appeal scheme would have the same frame size and positioning as the existing advertisement, it did allow me to form a good impression of the proposal's effect during my site visit. The existing paper and paste billboard breaches the roofline of its host building uncomfortably, partially obscuring the street name attached to this elevation. From the front elevation of the same building, the frame of the billboard can be seen as an intrusive addition, even in profile.

7. Like the current billboard, the proposed advertisement would not relate well to its host property or surrounding streetscape and as such is demonstrative of the harm that inappropriate advertisements can cause. The unsuitable positioning and location of the proposed advertisement would be exacerbated by the jarring and unsympathetic contrast between the muted colour palette of the surrounding environment and the vibrancy of the digital display.
8. This contrast would further highlight the outsized nature of the billboard in comparison to the modestly sized buildings adjacent to it, the clear difference in materials and textures, and the degree to which it would look at odds with the residential character of its surroundings. While the proposed frame is of a slim profile, its pedestal mount would lift it away from the wall, and it would therefore appear as an incongruous addition whether viewed from the front or side elevation of the host building. For these reasons, the proposed advertisement would significantly harm the visual amenity of the area.
9. In addition, the appeal site is directly opposite a residential dwelling, 176 Sackville Road (no 176). The presence of street lighting of a consistent colour and tone is not comparable to the visual dominance of a brightly coloured billboard with a changing array of images. I understand that further night-time illumination controls have been suggested. However, given the size of the proposed screen, its proximity to no 176, and the constantly changing images displayed, I am concerned that the proposed advertisement would result in a dominant visual intrusion, including during daytime hours, which would be detrimental to the living conditions of the occupiers of no 176.
10. During my site visit, I visited the example of a consented scheme at 322 Portland Road (Local Planning Authority (LPA) Reference BH2021/03355) highlighted by the appellant. While this advertisement is also located in a largely residential area, its host building and surrounding structures are of a notably greater scale than that of the appeal proposal, and therefore more suited to a display of this size. However, the vibrancy of the colours in the digital advertisements displayed by this unit appeared out of place against the backdrop of the consistent brown and red colour palette of the area, so it cannot be considered a good example of this form of advertisement.
11. My attention has been drawn to other examples within the Brighton and Hove area, at 73 Old Shoreham Road (LPA Reference BH2020/02906 and Gladstone Road (LPA Reference BH/2023/01092). I viewed these during my site visit. The example on Old Shoreham Road is very close to the appeal site, but the context is more commercial. Despite this, it still appears as an inappropriate addition, for similar reasons to those above, particularly relating to its size and vibrancy. The unit on Gladstone Road is sited in a very different context to the appeal proposal, and is hosted by a markedly industrial building, in an area with a more transient feel.

12. The appellant has also referred to an appeal decision (APP/B4215/Z/22/3303626) and other examples of consented schemes. However, these relate to advertisements in other parts of the country and in the absence of further evidence to the contrary, I am unable to draw direct parallels with the proposal before me. For these reasons, I have therefore ascribed all these examples very limited weight.
13. The appellant has explained that the introduction of digital advertising is leading to a reduction in number of units nationwide, since multiple advertisements can be hosted on a single unit. I have also had regard to the other benefits of digital advertising listed by the appellant, but these and the reduction of units nationwide do not outweigh the harm the appeal proposal would cause to the local area.
14. As set out above, the proposed advertisement would cause significant harm to the amenity of the area. It therefore conflicts with Policies CP12 and CP13 of the Brighton and Hove City Plan Part One (2016), which support proposals that respect and positively contribute to the character of the city's neighbourhoods. It also conflicts with Policy DM24 of the Brighton and Hove City Plan Part Two (2022), and with Supplementary Planning Document 07 – Advertisements, which seek to protect the visual amenity of a host site and its wider area.

### **Conclusion and Recommendation**

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

*R Parker*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

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

*S Edwards*

INSPECTOR