



Appeal Decision

Site visit made on 6 August 2025 by N Manley BA (Hons) MSc

Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

Appeal Ref: APP/U1105/Z/25/3368112

Sideshore, Unit 6 & 7, Queens Drive, Exmouth, Devon EX8 2GD

- 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 Mr Oliver Bridge of Hangtimecafe against the decision of East Devon District Council.
 - The application Ref is 25/0296/ADV.
 - The advertisement proposed is described as "Proposed 2no. illuminated signs."
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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 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety. In this case, neither the Council nor any other party has raised any objection to the proposed advertisement in relation to public safety. From the evidence before me, and my observations on site, I see no reason to disagree.
4. The description of the proposed advertisement included on the application form has been amended in subsequent documents. I have used the description from the Council's decision notice as this more succinctly describes the proposal.

Main Issue

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

Reasons for the Recommendation

6. The Planning Practice Guidance (PPG) sets out that in practice 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered. The National Planning Policy Framework (the Framework) sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

7. The appeal site, which lies within an Area of Special Control for Advertisements (ASCA), forms part of a retail unit within the Sideshore development close to Exmouth seafront. It is one of four small units that are broadly identical in shape, form, size and materials, each clad in timber and orientated in a similar way. To the west is a paved pedestrian space around which the four units are grouped, alongside other larger commercial premises with outdoor seating areas. To the east lies a road, beyond which is The Maer, a local nature reserve. The Maer is a wide expanse of open sandy grassland that is deliberately free from buildings and commercial activity, giving it a pleasant natural, undeveloped character.
8. The proposed sign on the western elevation would be seen within the more active and commercial setting of the pedestrian area, where illuminated shop sign advertisements are already present. Consequently, by virtue of its size, scale and positioning, it would not appear incongruous within this context.
9. By contrast, the proposed illuminated sign on the eastern elevation would be highly visible, largely due to its lighting. Unlike the adjoining three huts, none of which display illuminated signage on their respective eastern elevations, this feature would introduce a stark, discordant element on an otherwise unlit and understated row of frontages. Its prominence would be particularly noticeable around The Maer, especially given its nature as a wide, open, undeveloped space that is free from built structures and artificial illumination. The sign would therefore appear incongruous in views around this natural setting, harming the visual amenity of the area and the character of the streetscape when seen from the east.
10. I recognise the appellant's position that the road nearby already generates light from passing vehicles and that streetlights in the vicinity emit a greater level of brightness than the proposed advertisement. However, these are a transient or functional source of illumination. In contrast, whilst the consent sought would be temporary, the proposed advertisement would introduce a fixed, illuminated feature on a currently unlit building elevation, directly opposite a nature reserve that is largely free from artificial lighting. Consequently, the presence of other light sources nearby does not outweigh the harm I have identified from the introduction of an illuminated sign in this location.
11. Similarly, I have carefully considered the appellant's position that the proposal would only be illuminated during business hours. While a planning condition could restrict the hours of use, the fully illuminated aspect of the proposal would still harm the area's amenity during business hours, particularly during darker months. Therefore, limiting the illumination aspect to business hours would not overcome the aforementioned identified harm.
12. Given the above, the proposed advertisement would unacceptably harm the amenity of the area and would subsequently conflict with Policy D4.4 of the adopted East Devon Local Plan 2013-2031. Amongst other things, this policy seeks to ensure that where a proposed advertisement is lit, the type and level of illumination is appropriate given the general level of lighting in the area.

Other Matters

13. I have had regard to the appellant's submissions that the proposed signs would assist in strengthening the visibility and identity of the business and that they could deliver wider economic benefits. However, as the control of advertisements under

the Regulations may be exercised only in the interests of public safety and amenity, such considerations are not matters for my determination.

14. I note the appellant's reference to discussions held with Councillors where they verbally offered support for the proposal under certain conditions. However, my consideration of this appeal must be based on the merits of the scheme before me and these comments therefore have no bearing on my recommendation.

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.

N Manley

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