



Appeal Decision

Site visit made on 29 October 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/L2250/Z/25/3370229

Central Garage, Military Road, HYTHE CT21 5DD

- 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 Folkestone & Hythe District Council.
 - The application Ref is 25/0731/FH.
 - The advertisement proposed is the installation of freestanding D6 small format advertising display within petrol filling station forecourt.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's decision notice reason for refusal refers to the Listed Buildings of Marine Terrace. However, the name of the terrace as written on its frontage is Military Terrace. The Council's delegated officer report refers to the Grade II Listed terrace to be known as Military Terrace. This name is also reflected within the official list entry for these Listed buildings. It appears to me that the reference to Marine Terrace within the Council's decision notice has been made in error and I shall refer to the terrace as Military Terrace.

Background and Main Issues

3. The provisions under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) require the local planning authority to assess the proposed advertisement solely on the basis 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.
4. The main issues are the effect of the siting of the proposed advertisement on amenity, that being the character and appearance of the area, and having regard to the Listed Buildings of Military Terrace.

Reasons

5. Military Terrace is located within a conservation area and is one of the last sets of historic buildings on the northern side of the Military Canal. The terrace itself has a consistent appearance throughout with a stylised painted letter sign in the centre, timber sash window and a hipped tiled roof. It is a good example of dwellings

dating to the mid-19th Century. Their age and listed status make these terrace properties of architectural importance and historic value and this attracts special interest for these reasons. This gives them their significance as a heritage asset. Furthermore, their special interest as a collective group and their appearance and contribution that the terrace makes to the wider amenity of the surrounding area adds to their significance.

6. The signage would be sited close to the gable elevation of the Grade II Listed Military Terrace. Whilst the petrol filling station hosts variable forms of existing signage, the signage along the western boundary consist of small, unlit signage or temporary signage. The proposed advertisement would project above the wall that runs along the western boundary of the site. Along the western boundary of the site the existing signage is not currently illuminated. As such, the installation of an illuminated signage, along with its size, would create a prominent form of signage and correspondingly would have an increased visual impact at the western side of the site.
7. The proposed advertisement would be out of keeping with the existing signage to this part of the site. The illuminated sign would be clearly visible within the petrol filling station forecourt when travelling from the east. Given the existing nature of signage to this part of the forecourt it would be a bright addition to the forecourt that would host moving features that would draw attention to the signage. Consequently, the sign would be a visual harmful addition to the petrol filling station forecourt.
8. The proposed illuminated advertisement would be located directly adjacent to the Grade II Listed Military Terrace and within the setting of this terrace. Although the signage would be sited within the forecourt and face onto the forecourt, it would be clearly seen in public views against the backdrop of Military Terrace. I acknowledge that the side elevation of No.3 Military Terrace hosts fewer special features than that of the terrace frontage. Nonetheless, the visual harm arising from this signage would fail to preserve the character, appearance and special interest of the adjacent listed buildings, their setting, and their significance. As such, the proposal would undermine the purposes of the Listed designation that is in place to protect the setting of Military Terrace.
9. Given the size and scale of the proposal, along with its close proximity to Military Terrace, I consider there would be less than substantial harm to the setting of the Listed buildings. In accordance with paragraph 215 of the National Planning Policy Framework (the Framework), I must weigh the harm against the public benefits of the proposal. The proposal could create a high quality, well-maintained sign and reduce waste in the poster production process. It could potentially provide a platform to broadcast emergency or public messaging and/or public art campaigns. Other social, economic, and environmental benefits have been put forward by the appellant. However, there is no clear indication of biodiversity net gain, uplift in business rates or reduction in vehicle trips. Equally there is no substantive evidence that the development would support local businesses or meet Smart City objectives. As such, there is little to no clear benefit to the public that would sufficiently outweigh the harm identified. I conclude therefore that the proposed development would fail to accord with national policy.
10. I acknowledge this type of signage may be commonplace around the country and is the smallest of its type. It may even have been accepted at other heritage settings.

It would meet modern day signage standards and display six static advertisements in a sequence of advertising goods sold at the site. It would have a maximum standard luminance that would not exceed 300cd/m2 at night-time with the maximum brightness conforming with the relevant institute guidelines to vary the brightness of the screens according to the brightness of the day. It would also be in line with the industry standard units of advertising space for sale, and in compliance with the outdoor media code. Whilst these are individually and collectively merits of the proposed signage, they do not overcome my above concerns over amenity and the adjoining heritage asset of Military Terrace.

11. For these reasons, I conclude that the siting of the proposed advertisement would harm the amenity, that being the character and appearance of the area, and have a negative impact upon the setting of the Listed Buildings of Military Terrace that is of significant importance as a designated heritage asset. I have taken into account Policies HB1 and RL9 of the Folkestone & Hythe District Places and Policies Local Plan 2020 and the provisions of the Framework. These require advertisements to make a positive contribution to their location and surroundings, to enhance and integrate heritage assets and for illumination to be sensitively designed and located to be unobtrusive and discreet in its form. Given that I have concluded that the proposal would harm amenity and have a negative impact upon the setting of the Listed Buildings of Military Terrace, the proposal conflicts with these policies.

Other Matters

12. The appellant does not consider the local planning authority worked proactively with them during the course of the consideration of the advertisement consent application. However, this is not a matter that is primarily before me in respect of this appeal, but is an issue for the local planning authority in the first instance. In any event, this concern would not lead me to alter my findings above.

Conclusion

13. For the reasons set out above, the appeal should be dismissed.

Nicola Davies

INSPECTOR