



Appeal Decision

Site visit made on 22 October 2025

by **E Everitt BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th November 2025

Appeal Ref: APP/Q1445/Z/25/3372473

Advertising right adjacent 56 Preston Street, Brighton BN1 2HE

- 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 Nicholas Mager of Abbey Commercial Limited against the decision of Brighton & Hove City Council.
 - The application Ref is BH2025/00385.
 - The advertisement proposed is described on the application form as “a non-illuminated billboard measuring 2.03 metres by 3.05 metres (6'8 by 10') with a changing array of advertisements”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations to control advertisements may be exercised only in the interests 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. In my determination of this appeal, the policies by themselves have not been decisive.

Main Issues

3. The main issues are:
 - the effect of the proposed advertisement on the amenity of the area, including whether it would preserve or enhance the character or appearance of the Regency Square Conservation Area; and
 - the effect of the proposed advertisement on public safety.

Reasons

Amenity

4. The appeal site comprises a 3 storey property on the corner of Preston Street and Stone Street. There is a commercial use at ground floor level fronting onto Preston Street. The proposed advertisement would be located on the Stone Street elevation.
5. The appeal property falls within the Regency Square Conservation Area (the CA). As such, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.

6. The special interest and significance of CA is largely derived from the preservation of its historic townscape, focused along the seafront and strong grid pattern of streets running downhill towards the sea. The Council's Regency Square Conservation Area Character Statement outlines Preston Street as a lively centre for speciality shopping and restaurants with this resulting in a more exuberant use of colour than in much of Brighton. I observed on site a variety of fascia and projecting signage associated with the commercial uses on Preston Street, including on the Preston Street frontage of the appeal property. In marked contrast, Stone Street has a more subdued, residential character.
7. Despite this variation, the material palette within the CA is typically limited to render. The appeal property, as a prominent rendered building at the corner of Stone Street, positively contributes to the character and appearance of the CA and thereby to its significance as a designated heritage.
8. The proposed advertisement would be located on a wall currently free from signage except for a street sign. In this regard, it would introduce a new commercial feature onto the wall, creating a cluttered appearance.
9. I acknowledge that when viewed from Preston Street, the advertisement would be read in conjunction with the variety of advertisements on Preston Street. However, when viewed from Stone Street the advertisement would appear incongruous given the principally residential character of the street. It would contrast with the plain rendered walls in this part of the street, thereby appearing unduly prominent and detracting from the surrounding townscape.
10. Although the appeal property is not listed, it is located in close proximity to, and within the setting of, the Grade II listed building 13A and 14 Stone Street. The introduction of a commercial feature here would be entirely at odds with the heritage asset's setting which is currently residential in character.
11. For the above reasons, the proposed advertisement would result in a visually intrusive feature in the street scene on Stone Street. In this regard, the proposal would fail to preserve the character or appearance of the CA. I, therefore, conclude that the proposed advertisement would have a harmful effect on visual amenity.
12. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant. Policies DM24, DM26 and DM29 of the Brighton and Hove City Plan Part Two and Policy CP15 of the Brighton and Hove City Plan Part One seek to, amongst other things, conserve and enhance the city's historic environment and ensure advertisements are sensitively designed and located so that they do not harm the visual amenity of the site or wider area. I have concluded that the proposed advertisement would harm amenity and, therefore, the proposal conflicts with these policies.

Public safety

13. A relatively narrow pavement is provided to the north of Stone Street, abutting the appeal site. The proposed advertisement would project over this pavement.
14. I acknowledge that the proposed advertisement would be located at a lower height than the Council's Advertisements Supplementary Planning Document recommends. However, there is no evidence before me to demonstrate that it

would be located so low as to inhibit access to the pavement for pedestrians, or cause harm.

15. Accordingly, I conclude that the proposed advertisement would not have a harmful effect on public safety. So far as they are relevant, it would comply with Policies DM24 and DM33 of the Brighton and Hove City Plan Part Two which seek to avoid adverse effects on public safety and maintain pedestrian friendly routes that are easy, convenient and safe to use.

Other Matters

16. The appellant has suggested that the erection of an advertisement would deter graffiti by eliminating a large blank wall. However, this would not outweigh the harm identified above.
17. I acknowledge that the proposed advertisement is a revised and reduced proposal in comparison to a previous proposal refused by the Council. Reference is also made to a larger hoarding that is argued to have once been positioned here and that the appeal proposal would not be illuminated. Nevertheless, these matters have not led me to an alternative conclusion on the main issues.
18. The appellant has queried the validity of interested party objections. Nevertheless, these have not altered my findings in respect of the main issues, which I have considered based on the plans and evidence before me.

Conclusion

19. While I conclude that the proposed advertisement would not have a harmful effect on public safety, it would harm amenity, including by failing to preserve the character or appearance of the CA.
20. Therefore, for the reasons given above, and having had regard to all matters raised, the appeal should be dismissed.

E Everitt

INSPECTOR