



Appeal Decision

Site visit made on 24 November 2025

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th December 2025

Appeal Ref: APP/C3810/H/25/3373598

97 Felpham Way, Felpham, Bognor Regis, West Sussex PO22 8QB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against conditions imposed when granting express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Arun District Council.
 - The application Ref FP/103/25/A was approved on 11 September 2025 and advertisement consent was granted subject to conditions.
 - The advertisement permitted is the installation of 1 No. internally illuminated sign.
 - The condition in dispute is No 1 which states that: The advertisement hereby permitted shall be removed on or before the expiration of the period ending on 17/09/2030.
 - The reason given for the condition is: In the interests of the visual amenities of the locality in accordance with Arun Local Plan policy D DM1.
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Decision

1. The appeal is allowed and the advertisement consent Ref FP/103/25/A for the installation of 1 No. internally illuminated sign at 97 Felpham Way, Felpham, Bognor Regis, West Sussex PO22 8QB granted on 11 September 2025 by Arun District Council, is varied by deleting condition No 1.

Background and Main Issue

2. Consent to display an internally illuminated digital advertisement was granted by the Council subject to a condition that the advertisement shall be removed from the site on or before the expiry of the period ending 17 September 2030. The appellant disputes the requirement to remove the advertisement on or before the expiry of this period.
3. Accordingly, the main issue is whether the condition is necessary and reasonable having regard to requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations).

Reasons

4. The Planning Practice Guidance (PPG) details that all advertisements, whether they require express consent or not, are subject to the standard conditions set out in Schedule 2 to the Regulations.
5. The PPG confirms that if a local planning authority decides to impose additional conditions, these must be supported by specific and relevant planning reasons. The PPG specifically states that conditions should never be imposed because the local planning authority wishes, as a matter of general policy, to prevent the operation of Class 14 in Schedule 3 (advertisements displayed after expiry of express consent) in their area. Therefore, a condition should not be imposed to

routinely remove the deemed consent for the display of advertisements after the expiry of express consent.

6. The reason for the condition referred only to the visual amenities of the locality and did not include reference to public safety. In granting express consent, the Council was satisfied that the advertisement would be acceptable in the interests of amenity as well as in respect of public safety, as evidenced within the Recommendation Report. Indeed, the Council consider the replacement advertisement would represent an enhancement to the site's visual amenity by consolidating signage and reducing overall visual clutter.
7. The Council suggests that the condition would allow for the advertisement to be reviewed and assessed if the circumstances in the area change, including traffic patterns or road layout, or the advertisement falls into disrepair or there is a change in guidance that affects digital displays. Nonetheless, the Council has not provided any substantive evidence that demonstrates that a material change in circumstances at the site or the locality is likely to occur.
8. In any case, if at any time following the expiry of the express consent, the advertisement is found to cause substantial injury to the amenity of the area, then the Council has the power under the Regulations to serve a discontinuance notice. This process would address actual harm at the time, rather than any potential, unsubstantiated harm.
9. The Regulations state that an express consent shall be subject to the condition that it expires at the end of: (a) such period as the local planning authority may specify in granting the consent; or (b) where no period is so specified, a period of 5 years. The Council was satisfied that the advertisement was acceptable for the standard five-year period, and therefore it is not necessary to impose a varied condition as it is already imposed by virtue of the Regulations.
10. For these reasons, I conclude that the condition is not necessary or reasonable.

Conclusion

11. For the reasons given above I conclude that the appeal should succeed. I will vary the planning permission by deleting condition No 1.

J Pearce

INSPECTOR