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# Appeal Decision

Site visit made on 24 December 2025

**by David Reed BSc DipTP DMS MRTPI**

**an Inspector appointed by the Secretary of State for Housing, Communities and Local Government**

**Decision date: 12 January 2026**

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**Appeal Ref: APP/P1425/H/25/3374426**

**180 South Coast Road, Peacehaven, East Sussex BN10 8JJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of advertisement consent subject to conditions.
  - The appeal is made by Wildstone Estates Limited against the decision of Lewes District Council.
  - The application Ref LW/25/0461, dated 23 July 2025, was approved on 12 September 2025 and advertisement consent was granted subject to conditions.
  - The development permitted is the erection of one single-sided D6 small format advertising display.
  - The condition in dispute is No 4 which states that: This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.
  - The reason given for the condition is: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.
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## Decision

1. The appeal is allowed and condition No 4 is deleted from advertisement consent Ref LW/25/0461 dated 12 September 2025 and replaced by the following condition:
  4. The express consent hereby granted expires on 12 September 2030.

## Main Issue

2. The main issue is whether the condition is necessary in the interests of amenity and/or public safety.

## Reasons

3. Advertisement consent was granted on 12 September 2025 for a one-sided small format freestanding internally illuminated advertising display, about 928 mm x 1650 mm in size, mounted within a black steel frame structure about 2.4 m tall, 1.23 m wide and 0.22 m thick. The display will be located in one corner of the petrol filling station forecourt on the northern side of the A259 South Coast Road, immediately next to the eastern entrance, with the display facing west towards the forecourt.
4. The condition which is the subject of this appeal is No 4 which requires the removal of the advertisement and making good any damage after five years unless a further consent is granted by the local planning authority. The decision notice states that this is to accord with Regulation 14(7) of the

Advertisement Regulations. The officer delegated report relating to the application does not explain why the condition was imposed and no appeal statement has been submitted to provide any further explanation.

5. However, Regulation 14(7) does not require the *removal* of the advertisement after five years, it states that express consent *expires* after five years. After that date there is deemed consent for its continued display under Class 14 of Part 1 Schedule 3 of the Regulations unless a discontinuance notice is served under Regulation 8 should the display cause a substantial injury to the amenity of the locality or a danger to members of the public.
6. The Council do not put forward any particular factors in this case that justify the need for a further application to renew express consent at the end of the initial five-year period. Should the advertisement lead to issues of public amenity or highway safety in due course the discontinuance notice process provides the necessary safeguard to secure its removal. In the circumstances there is no justification for the onus to be on the appellant to make a renewal application. Planning Practice Guidance makes clear that a condition should not be imposed to prevent, as a matter of general policy, the operation of Class 14 rights to continue the display of an advertisement after expiry of express consent<sup>1</sup>. This appears to be the position here.

### **Conclusion**

7. For these reasons the existing condition No 4 is not necessary in the interests of amenity and/or public safety and should be replaced by a new condition stating the date of expiry of the express consent.

*David Reed*

INSPECTOR

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<sup>1</sup> Paragraph: 034 Reference ID: 18b-034-20140306