



Appeal Decisions

Site visit made on 14 January 2026

by Mr D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2026

Appeal A Ref: APP/C3810/W/25/3375148

Land Outside 60 London Road, Bognor Regis, PO21 1PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Thomas Johnston of NWP Street Ltd against the decision of Arun District Council.
 - The application Ref is BR/141/25/PL.
 - The development proposed is Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
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Appeal B Ref: APP/C3810/H/25/3375151

Land Outside 60 London Road, Bognor Regis, PO21 1PT

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Thomas Johnston of NWP Street Ltd against the decision of Arun District Council.
 - The application Ref is BR/142/25/A.
 - The advertisement proposed is 1 no. Digital advertisement display within proposed new communications Kiosk.
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Decision

1. Appeal A is dismissed and Appeal B is dismissed.

Preliminary Matters

2. The two appeals relate to the same appeal site and related elements of a proposal. Appeal A is in relation to the refusal of planning permission for a freestanding communications kiosk and Appeal B relates to the refusal of advertisement consent for a digital display screen within the proposed new development. I have determined both appeals upon their merits but, to avoid duplication, dealt with the two together below, except where otherwise stated. In respect of Appeal B the Council has cited a relevant policy. I have taken this into account as a material consideration, as the power to control advertisements may be exercised in the interest of amenity and public safety only.
3. The addresses from the Council's decision notice, based upon the plans and what I saw, is a more accurate reflection of where the appeal schemes would be located, so I have used that in the banner headings above.
4. I am also the Inspector for another pair of linked appeals relating to similar proposals by the same appellant. While the proposals are located in relative

proximity within the town, and involve similar merits and main issues, I have assessed each of the sets of proposals upon their individual merits and effects in light of their site-specific context.

5. The Government has commenced consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. The changes to the Framework are in draft form and therefore may be subject to change before the document is published. Consequently, while I have had regard to the consultation and the draft Framework, they carry limited weight, and it has therefore not been necessary to consult the parties on these.

Main Issues

6. The main issue in Appeal A is the effect of the proposed development upon the character and appearance of the area.
7. The main issue in Appeal B is the effect of the proposed advertisement upon amenity.

Reasons

8. The appeal site forms part of an open pavement build out on London Road close to where it adjoins Station Road. The part within which the appeal schemes would be located is one of generally quite open pavements either side of the carriageway, where a mix of primarily commercial and residential buildings are located. The commercial units generally have some fascia signage, small projecting shop signs and some static window adverts or displays. However, this part of London Road and adjoining Station Road has limited street furniture, and aside of some lampposts and occasional traffic lights which still have a simple and thin profile, they are quite limited, so the street appears relatively clear and open.
9. Though there are a limited greater amount and size of such furniture, and a tree, on London Road to the south on the opposite side of the carriageway, it is very much viewed as separate and visually distinct to the markedly clearer and more open section upon which the schemes would be located. As I saw it the open character of the appeal site and its immediate surrounds are in keeping with and reflective of the predominant character, appearance and amenity of the area.
10. The proposal would introduce a significantly sized new freestanding structure of around 2.4m high by 1.1m wide and 0.88m deep. Within it on one side would include a telephone and interactive display, and on the other would be an approximately 1.6m by 0.9m digital display, orientated at a right angle to the street. Though it would be broadly aligned with other street furniture, it significantly differs in terms of its form, orientation and appearance, and given the combination of its dimensions, it would appear of a noticeably significant scale and presence.
11. Public phone boxes may not be an uncommon sight in the wider area, I could not identify such similar looking structures within the visual context of the appeal site. This proposal would appear as a significantly sized addition with a sizeable proportion on one side given over to a digital advertising display. It would be of a scale, position, perpendicular orientation and appearance which differs markedly from the existing street furniture pattern, ordering, layout, scale and appearance, and the advertisements I saw nearby.

12. The appeal proposals would be in a prominent position close to some more modest street furniture at the intersection of three quite busy routes. The proposals would be of a scale, position, orientation and visual appearance which would seem an incongruent, rather abrupt and prominent addition, detracting from existing shop fronts and adverts, and adding clutter to what overall is the relatively open street scene. It would be stridently at odds with and harmful to, the character, appearance and the amenity of the area.
13. The harm would be visible from London Road due south, east and west of the proposal, and a short section of Station Road and Sudley Road. I am not satisfied suitably worded conditions imposed upon either scheme, including the standard conditions under the Regulations, and having regard to matters such as colours, materials, luminescence, moving images, time intervals, hours of operation, duration of installation for a limited number of years, and planting new trees, could fully or adequately mitigate the harm.
14. The Council refers me to another appeal decision letter¹ for what I understand to be similar proposals in the town. However, the full details, circumstances, evidence in support, and visual context of that proposal are not fully clear. So I attribute them limited weight in my assessment of these appeal proposals, which I have assessed upon their own individual merits and effects. Appeal decisions referred to by the appellant would also involve judgements by Inspectors upon very site-specific circumstances, merits and effects at other locations.
15. The evidence does not persuade me the circumstances and context of other appeal sites referred to can be regarded as directly comparable to the site and context before me. One of the schemes replaced a tired looking phone box², and another replaced an unsightly kiosk³, for which it was regarded there were visual benefits. A local authority in a different part of the country found another scheme⁴ compliant with policies in respect of the character and appearance of the area, whereas I cannot conclude the same in respect of these specific appeal proposals. Therefore, those decisions attract limited weight.
16. For the reasons set out above, Appeal scheme A would be out of keeping with and harmful to the character and appearance of the area. It would conflict with Policy D DM1 of the Arun Local Plan (2018) (the ALP) which requires proposals reflect the character of the site and area, having regard to matters including siting, scale and design features. Though not originally referred to in the reason for refusal both parties provide discussion of ALP Policy TEL DM1. I conclude the proposal would conflict with it insofar as it requires proposals are sympathetically designed. It would also conflict with paragraph 135c) the National Planning Policy Framework (2024) (the Framework) insofar as it expects that proposals are sympathetic to local character including the surrounding built environment.
17. Appeal scheme B would harmfully affect amenity. Insofar as it is of relevance to assessing amenity, the advert would conflict with the aims of Framework paragraph 141 insofar as it acknowledges the quality and character of places can be adversely affected by poorly sited advertisements.

¹ Refs. APP/C3810/W/25/3366482 and APP/C3810/H/25/3366484.

² Ref. APP/R5510/Z/16/3157043.

³ Ref. APP/K5600/W/17/3190377.

⁴ Ref. 22/0734/FUL.

Balancing Exercise

18. A defibrillator could make a significant difference to the survival chances of someone having a cardiac arrest. However, the Council suggests there is one within around 60m of the site and three within 150m, and there is no substantive evidence demonstrating there are not such facilities within close proximity, so this would appear a limited benefit. There would be temporary benefits during construction. Upon completion, it could be subject to business rates, display public information, wayfinding/mapping and service alerts, and also be available at a discounted rate for local businesses and charities, resulting in some limited benefits, including to the area's vitality and viability. It could also have benefits in terms of crime and antisocial behaviour, including the installation of a camera.
19. There could be air quality monitoring and tree planting upon a consent being received and/or upon kiosk removal, and there would be benefits such as to air quality and biodiversity. The facility could offer a safety net to those without access to a phone and boost connectivity and mobile network coverage, gaining support from relevant policies and objectives. However, there is no substantiating evidence to suggest either poor coverage or that phone access or ownership is particularly low in the area, or there is a demonstrable need for a new facility. Based upon the substantive evidence before me, all of the benefits advanced of the appeal proposals are attributed limited weight in their favour.
20. If I agreed with the Council's indication it does not find the proposal would result in harmful effects upon the living conditions of neighbouring occupiers, these would be neutral matters in the balance. Were I to agree the proposal is compliant with policies and standards in respect of matters such as highway safety, pedestrian movement, safe positioning, mental health, heritage matters, and energy efficiency, these would also be neutral matters in the balance.
21. However, appeal scheme A would be harmful to the character and appearance of the area, in conflict development plan and Framework policies. Appeal scheme B would be harmful to amenity, and would also conflict with the aims of the Framework. In the case of each appeal proposal alone and in combination, the harm that would occur clearly outweighs the benefits. Therefore, the appeals should not succeed.

Conclusions

22. For Appeal A, the proposed development would harm the character and appearance of the area, in conflict with the development plan read as a whole, and the Framework taken as whole, and there are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, Appeal A should not succeed.
23. For Appeal B, the advertisement would be harmful to amenity, so for the reasons given, Appeal B should not succeed.

Mr D Szymanski

INSPECTOR