
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/25/3375152

Land outside 50 High Street, Bognor Regis PO21 1SP

- 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/154/25/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/25/3375153

Land outside 50 High Street, Bognor Regis PO21 1SP

- 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/155/25/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. These 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. Though there are references to the address being outside No 52 High Street, the appeal forms refer to No 50. Based upon the plans and what I saw, this is a more accurate reflection of the location, so I have used this in the banner headings.
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 for 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 a section of pavement north of the carriageway in part of the town centre where many of the buildings appeared to be in various commercial uses, with what appeared to be quite a high footfall. Consistent with its commercial character, the street has several advertisements, primarily in the form of shopfront window, fascia and modest projecting shop adverts. There are only limited examples of notable wider street structures, and static and digital adverts, such as on bus shelters, and these differ from rather than form part of the prevailing character and appearance of the area.
9. The appeal site forms part of a wider section of High Street either side and particularly to its west where there is occasional street trees between which is small-scale street furniture, such as benches, seating cubes, bins and bike racks, with quite a deliberately designed, ordered and open feel. Further to the east and in the wider backdrop of the appeal site is a couple of bus shelters, utility kiosks, a phone box, appearing all quite cluttered. The southern side of the carriageway includes some bollards and a bus shelter, with limited further such features in the backdrop to the west.
10. The appellant's plans do not fully reflect street furniture I saw on or adjoining the appeal site. As I saw it, the proposal would be located between a street tree and a bench, upon land either abutting or occupied by hard rock seating cubes, forming part of the defined distinctive alignment of smaller furniture. The proposal would introduce a new structure of around 2.4m high by 1.1m wide and 0.88m deep. One side it would include a telephone and display, and on the other an approximately 1.6m by 0.9m digital display, orientated at a right angle to the street.
11. Though aligned with other furniture, the proposed development would appear as a significantly sized, quite solid, bulky and obtrusive addition very close to small simple items of furniture that form part of longer more open section of pavement. Its position, scale and appearance would appear dominant and would disrupt and relate poorly to the prevailing pattern and ordering of the street scene and street furniture. Therefore, it would be at odds with and harmful to the prevailing character and appearance and would result in a cluttered and congested appearance and layout to this part of the street scene.

12. There are a few examples of advertisements, including wider digital ones at right angles to the flow of pedestrians. However, its installation would detract from existing shopfronts and draw attention to the proposal, adding to its prominence, and exacerbate the appearance of being poorly located and creating a cluttered street scene in this part of the High Street, and would result in harm to amenity.
13. The harm would be visible from moderate lengths of High Street due east and west of the site. 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. Appeal decisions referred to by the appellant involve judgements by Inspectors upon very site-specific circumstances, merits and effects at other locations. One of the schemes involved the replacement of an existing tired looking phone box¹, and another replaced an unsightly kiosk², for which it was regarded there were visual benefits. A local authority in a different part of the country found another scheme³ compliant with policies in respect of the character and appearance of the area, whereas I cannot conclude the same in respect of these specific proposals. Therefore, those decisions attract limited weight.
15. For the reasons set out above, Appeal scheme A would be 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, layout, scale, design features, and provide or enhance streets and public spaces so that they are attractive. Though not originally referred to in the reason for refusal both parties discuss ALP Policy TEL DM1. I conclude the proposed development would conflict with it insofar as it requires, they are sympathetically designed. It would also conflict with paragraph 135c) and d) the National Planning Policy Framework (2024) (the Framework) insofar as they expect proposals are sympathetic to local character including the surrounding built environment and create attractive places.
16. Appeal scheme B would adversely affect amenity. Insofar as it is of relevance to assessing amenity, it 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.

Balancing Exercise

17. The appellant's Heritage Statement considers the effect of the scheme upon some non-statutory, locally listed buildings (Nos 45 – 47, 51 – 53, 57 and 59 High Street), citing national and local policies and guidance I have had regard to. The Council has not raised the effect upon NDHAs as a reason for refusal or stated any harmful effects from the appeal scheme. The appellant considers there would be a level of enhancement from the scheme.
18. While quoting relevant guidance and listing the NDHAs, there is very little substantive analysis of their architectural, historic or other significance, the contribution of their setting towards these or the effect of the scheme. From what I

¹ Ref. APP/R5510/Z/16/3157043.

² Ref. APP/K5600/W/17/3190377.

³ Ref. 22/0734/FUL.

saw, the NDHAs are Late 19th and early to mid-20th century buildings, with much modernised commercial ground floors, but above which the buildings retain historic forms, features and materials reminiscent of their quite distinctive period constructions. This comprises their interest and their significance.

19. They may have been constructed, and evolved within, a settlement centre High Street setting. Their setting includes High Street, a mix of traditional and more modern buildings, and relatively modest street furniture which make a largely neutral contribution to their setting and significance. I fail to see from the appellant's case how the scheme would enhance the experience of them or better reveal their significance. However, given the distance, the very limited discernibility from and to these buildings, and being viewed in the wider backdrop as I saw it, the effect upon their settings and significance would be a neutral one for each NDHA, so this would be a neutral matter in the balance.
20. A defibrillator could make a significant difference to the survival chances of someone having a cardiac arrest. However, the Council suggests there are two within 100m of the appeal site and four within 300m, and there is no substantive evidence demonstrating these approximate numbers and distances are incorrect, so this would appear a very 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.
21. There could be air quality monitoring and tree planting upon a consent being received and/or upon kiosk removal, and with benefits such as to air quality and biodiversity, but these would appear limited. It could be 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, the Council indicates that 5G coverage is available for the majority of phone providers, and there is no challenging or substantiating evidence to demonstrate either poor coverage or that phone access or ownership is particularly low in the area, or there is a demonstrable need for this 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.
22. Were I to agree the proposals are compliant with policies and standards in respect of matters such as highway safety, pedestrian movement, the living conditions of neighbouring occupiers, safe positioning, mental health, heritage matters, and energy efficiency, these would be neutral matters in the balance.
23. 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 scheme alone and in combination, the harmful effects outweigh the benefits that would occur. Therefore, the appeals should not succeed.

Conclusions

24. 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.
25. For Appeal B, the advertisement would be harmful to amenity, so for the reasons given, Appeal B should not succeed.

Mr D Szymanski

INSPECTOR