Planning Inspectorate

# Appeal Decisions

Site visit made on 25 February 2026

**by S F Barnes MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14 April 2026**

**Appeal A Ref: 6002526**
**Pavement o/s 70 High Street, Shoreham-by-Sea BN43 5DB**

- 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 BT Plc against the decision of Adur District Council.
- The application Ref is AWDM/1213/25.
- The development proposed is installation of 1no. BT Street Hub and removal of associated 1no. existing BT payphone.

**Appeal B Ref: APP/Y3805/Z/25/3376762**
**Pavement o/s 70 High Street, Shoreham-by-Sea BN43 5DB**

- 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 BT Plc against the decision of Adur District Council.
- The application Ref is AWDM/1214/25.
- The advertisement proposed is two digital 75-inch LCD display screens, one on each side of the Street Hub unit.

## Decisions

1. Appeal A is allowed and planning permission is granted for the installation of 1no. BT Street Hub and removal of associated 1no. existing BT payphone at Pavement o/s 70 High Street, Shoreham-by-Sea BN43 5DB in accordance with the terms of the application, Ref AWDM/1213/25, subject to the conditions set out in the schedule attached at the end of this decision.

2. Appeal B is allowed and express consent is granted for the display of two digital 75-inch LCD display screens, one on each side of the Street Hub unit at Pavement o/s 70 High Street, Shoreham-by-Sea BN43 5DB in accordance with the terms of the application, Ref AWDM/1214/25. The consent is for ten years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the additional conditions set out in the schedule attached at the end of this decision.

## Preliminary Matters

3. The appeals relate to the same site and raise similar issues. Whilst I have considered each on its individual merits, I have combined both decisions into a single decision letter to avoid duplication.

4. For clarity, in my formal decision on Appeal A, I have removed superfluous wording and changed the reference from '*removal of associated existing BT payphone(s)*' to the singular as this accurately describes what is shown on the submitted plans.

5. For Appeal B, the Regulations require decisions to be made only in the interests of amenity and public safety, taking account of any material factors. The Council, in its Officer Report, has not directly commented on public safety matters. However, I note the comments made by West Sussex County Council Highways Authority at application stage and that the Council has suggested a number of conditions pertinent to this matter. I have therefore proceeded on the basis that this is not an area of dispute between the main parties.

## Main Issues

6. The main issues are:
   - For Appeal A, the effect of the proposal on the character and appearance of the area, with particular regard to the effect on designated heritage assets.
   - For Appeal B, the effect of the proposed advertisement on amenity.

## Reasons

7. The appeal site is at the road-side edge of a footway along High Street, which functions as a shopping area with long, continuous ground floor shop fronts on buildings ranging between 2 to 3 storeys in height in this part of the streetscene. High Street is a busy thoroughfare for vehicular and pedestrian traffic. The site is currently occupied by a BT telephone kiosk, now of some vintage, which although largely glazed is used to display advertisements on one external surface.

8. The site is within the Shoreham-by-Sea Conservation Area ('the SSCA'). For Appeal A and insofar as it applies to the consideration of amenity for Appeal B, I have had regard to the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). I am required to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

9. The Council's SSCA Character Appraisal & Management Strategy explains that this area broadly encompasses Shoreham-by-Sea's built-up, historic core. It covers a mix of commercial streets, as well as residential lanes. Some of the latter have a medieval street pattern and a concentration of 18th to 19th century residential terraces. High Street forms part of what is now identified as a distinct character area, the Shopping Areas. It is likely a surviving part of a road dating back to the Middle Ages, which followed the coastline from the east, surrounded by cultivated land. It continued to function as the major road which has led to its role as the heart of the town's commercial centre.

10. Insofar as it relates to this appeal, the significance of the SSCA relates to its buildings of a mixture of ages, and the well-lit, wide pavements of this main shopping area where street furniture is focussed. Such furniture is limited in amount and scale and well-spaced features include the existing kiosk, traffic sign poles, streetlight columns, bus stop stand and signage, benches, and planters further away. Extensive advertising signage displays, particularly around the frontages of business premises, impart a clear commercial character in the vicinity of the site.

11. The Council has also identified the proposal as affecting the setting of the building known as The Queen Anne and Cuckoo Clock Restaurants at 74-76 High Street (hereafter referred to as 'No 74-76'), a grade II listed building. The building was listed in 1972 (Ref: 1227178) and comprises an attached pair of cottages dating to

the 17th Century, 2-storeys in height with a steep pitched roof and an irregular fenestration pattern at its frontage. As it relates to this appeal, I consider the significance of No 74-76 is most associated with the architectural interest of its street elevation. In contrast to more modern adjoining development, its historic features and appearance provide evidence of the area's historical development.

12. The setting of No 74-76 is influenced by the presence of surrounding buildings that are taller and sited slightly forward of its front wall, as well as by constant passing vehicle activity on the High Street. These factors generally obscure views of the street elevation other than from a short distance away from this side of the High Street. It is therefore best appreciated from views of its front elevation directly outside, close-up on approach, and from the footway at the opposite side of High Street. These form its immediate setting. The surrounding commercial thoroughfare, with street furniture and signage, forms its wider setting.

13. For Appeal A, I have a statutory duty under section 66(1) of the Act to have special regard to preserving the setting of a Listed Building. For Appeal B, although there is not a statutory duty, the fact that a building is listed can be a material consideration when considering the effect on amenity.

*Appeal A*

14. The proposal would replace the existing kiosk at this location and retain the same set-back from the edge of the footway with the road. The existing kiosk forms an established feature of the area and through its low-key scale and robust appearance I consider it to make a neutral contribution to the SSCA. The proposal would be taller than the existing structure and contemporary in appearance given its materials. However, this would be read against a backdrop of the bus stand and modern shopfronts, which together with their fascias and projecting signs, stand to comparable heights at ground floor level. It would not therefore appear incongruous in its context.

15. Whilst slightly greater in width, the comparatively slender proposal would occupy a smaller area of footway and retain an acceptable distance of separation from the front of neighbouring buildings. In these respects, the proposal's size, design and siting would have an overall neutral impact on the quantity of street furniture and would not dominate or unacceptably clutter this part of the footway.

16. Between the site and the closest part of No 74-76 are two shopfronts, one of which is wide. The appeal proposal would be visually isolated from this listed building in close-range views on approach along the footway given this separation, preserving its immediate setting. As with the existing kiosk, the proposed Street Hub would be appropriately scaled and designed and integrate well with the backdrop of the commercial area, resulting in a neutral effect on this wider setting. Consequently, the proposal would not harm the setting of this listed building.

17. Drawing the above together, I conclude that the proposal would not harm the character or appearance of the area. The proposal would preserve the character or appearance of the SSCA and preserve the setting of No 74-76. I therefore find no conflict with Policies 15 and 17 of the Adur Local Plan 2017 ('the Local Plan'). Amongst other things, these seek to ensure developments respect the character of the site and prevailing character of the area, in terms of siting, height and size, preserve the character and appearance of the conservation area to which they relate and avoid harm to the setting of listed buildings. In a similar vein, there

would be no conflict with the heritage policies of the National Planning Policy Framework.

*Appeal B*

18. The proposal would feature 2 large LCD screens for the display of static image advertisements. This would increase the visual impact of the overall proposal over and above that of Appeal A considered in isolation. However, all advertisements are intended to attract attention and displays competing for attention are well-established features of this commercial area. The proposal would replace an established advertising site at the existing kiosk, albeit that is non-illuminated and has different dimensions. The screens would not be seen from the same perspectives as they would be located on opposite sides of the structure. These factors would limit the extent of the increased visual impact and avoid a harmful proliferation of advertisements within this streetscape.

19. The proposed displays would be digital and illuminated. Consequently, they would reasonably be considered as more prominent than existing signage on the kiosk. However, this would not result in an alien appearance as the SSCA is generally well-lit by streetlights and, particularly around business premises, by illuminated shop fronts, outward-facing digital displays within shop fronts and signage. It follows that the same is also true of the wider setting of No 74-76.

20. Both parties have referred to the Institute of Light Professionals publication the Professional Lighting Guide 05/23 *'Brightness of Illuminated Advertisements including Digital Displays'* ('the PLG'). This document states that operating in accordance with its recommended maximum luminance levels would ensure that a display remains legible but avoids a negative impact on local amenity (amongst other things). No substantive evidence is before me to indicate that this guidance would not be applicable to the appeal site.

21. In support of a luminance limit of 600cd/$m^2$ at night-time, the appellant refers to Table 9.1 of the PLG. This Table sets out statutory limitations on illumination for advertisements under certain deemed consent provisions. However, more pertinent recommendations for external illuminated advertisements, including digital displays, are set out at Table 10.4. For signs of the surface area proposed within the E3 environmental zone, the recommended value is 300cd/$m^2$. Accordingly, this lower value would be the appropriate limit in the interests of amenity.

22. In line with the guidance contained in the PLG, the Street Hub would be fitted with a sensor to adjust the display's luminance in response to changing ambient lighting conditions. In a similar vein, the appellant has also suggested conditions which would prohibit the display of moving images, limit the frequency at which images would change and require transitions to be complete and instantaneous. A display operating in accordance with such conditions would have an acceptable visual impact on local amenity. Accordingly, subject to imposing such conditions, the perceived brightness and frequency of image changes would not be harmful to local amenity.

23. Concluding on this main issue, the proposed advertisement would not harm amenity, including features of historic interest, and would preserve the character and appearance of the SSCA. Whilst not determinative of themselves, I find no conflict with Policies 15 and 17 of the Local Plan. Amongst other things, these

seek to ensure advertisements respect the character and appearance of the surrounding area.

## Conditions

*Appeal A*

24. I have considered the conditions proposed by the main parties against the tests set out in the Framework and the advice in Planning Practice Guidance, making such amendments as necessary to comply with those.

25. In addition to the standard time limit for commencement, I have specified the approved plans in the interests of certainty. In the interests of character and appearance, it is necessary to ensure the reinstatement of the condition of the pavement, that the Street Hub is finished in the materials specified in the submission and thereafter regularly inspected and maintained in accordance with the strategy set out in the accompanying Product Statement.

26. It would not be possible to install the proposal in accordance with the plans without removing the existing kiosk. A condition to require its removal would therefore duplicate condition 2 and so would be unnecessary.

*Appeal B*

27. In addition to the 5 standard advertisement conditions set out in the Regulations, the appellant and the Council propose further non-standard conditions. For certainty, it is necessary to ensure the displays do not exceed 2,500cd/$m^2$ at any time, in accordance with the terms of the application made. In the interests of amenity and to prevent glare and dazzle to road-users, the display screens must adjust to ambient light and remain within the PLG limits day and night.

28. In the interests of amenity and to avoid distractions to highway users, it is necessary to prohibit the display of moving or frequently changing images, ensure instantaneous transitions, and to provide a fallback in case of malfunction. In the interest of public safety, no images should be displayed that could be confused with traffic signage.

29. Under Regulation 14(7), advertisement consent is granted for a period of 5 years unless otherwise specified. The appellant has sought a 10-year period. As there is no substantive evidence before me that the display would be unacceptable at the end of the shorter period, I have granted consent for the 10-year period in my formal decision.

## Conclusion

30. For the reasons given above, I conclude that both appeals should be allowed, and planning permission and advertisement consent granted.

*S F Barnes*

INSPECTOR

## Schedule of Conditions

### Appeal A:

1) The development hereby permitted shall begin not later than three years from the date of this decision.
2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev A, 002 Rev A, 003 Rev A (existing and proposed elevations) and 003 Rev A (proposed BT Streethub elevations).
3) The external surfaces of the development shall be constructed using the materials and finishes as set out in the Street Hub Product Statement V2.0 September 2024.
4) The Street Hub shall be maintained as described in the 'Management, maintenance and operational strategy' of the Street Hub Product Statement V2.0 September 2024 for the duration of the development.
5) Prior to the Street Hub being first brought into operation, the pavement surrounding the development shall be made good to the same condition as the adjacent land.

### Appeal B:

1) The intensity of the illumination of the display screens shall at no time exceed either the maximum daytime luminance values (in cd/$m^2$) set out within the Institution of Lighting Professionals - Professional Lighting Guide 05/23 'Brightness of Illuminated Advertisements including Digital Displays', or 2,500cd/$m^2$, whichever value is the lower.
2) During the hours of darkness (dusk to dawn), the intensity of illumination of the display screens shall not exceed 300cd/$m^2$.
3) The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).
4) The minimum display time for each piece of content on the display screens shall be 10 seconds.
5) The interval between each piece of content shown on the display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.
6) No content on the display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

End of schedule.