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## Appeal Decision

Site visit made on 6 June 2018

**by Nick Fagan BSc (Hons) DipTP MRTPI**

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

**Decision date: 14 June 2018**

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**Appeal Ref: APP/Q1445/Z/17/3183575**

**Marlborough House, 54 Old Steine, Brighton BN1 1NH**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Infinity Outdoor Ltd against the decision of Brighton & Hove City Council.
  - The application Ref BH2017/01692, dated 18 May 2017, was refused by notice dated 13 July 2017.
  - The advertisement proposed is the display of an externally illuminated mesh scaffold shroud.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application sought to retrospectively extend a previous temporary permission, which expired on 1 June 2017 (LPA Ref BH2016/01201), on the basis that remedial building works were delayed and did not commence until April 2017. The application form and grounds of appeal both make clear that the scaffolding and proposed advert are only necessary for the duration of the building works.
3. At my visit I was able to verify that the scaffolding has now been removed. I was also able to briefly inspect the interior of the building. This has enabled me to confirm that there are currently no building works being undertaken to the property, either internally or externally.

### Main Issue

4. In the light of this the main issue is whether there is any necessity for the mesh scaffold shroud.

### Reasons

5. The application form stated that the remedial works would be completed by the end of April 2018 and it appears that they have been because the scaffolding has been entirely removed and no work is currently taking place either internally or externally.
6. The appellant argues that the proposed advert would be better in appearance than the bare scaffold or scaffold shrouded in white sheeting. But since there is no scaffold there is no need for a scaffold shroud and no means by which such an advert could be affixed in the manner described in the application.

7. The appellant has stated that moneys raised from the advert would be used to fund the refurbishment works. Since these works have been completed and the scaffolding removed I assume that is what has occurred here.
8. Given the above circumstances there is clearly no current need for the proposed advertisement, albeit that the interior of the building is currently unfinished and it is vacant. I am not aware of any extant planning or listed building consent for additional development/works to the exterior of this Grade I listed building. Consequently there is no reason to display the proposed advert and the appeal is dismissed.

*Nick Fagan*

INSPECTOR