

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0561	Case Officer:	Peter Davies
Application Type:	Advertisement Application		
Proposal:	Erection of a D6 illuminated advertising display		
Site:	Cuckfield Service Station, Whitemans Green, Cuckfield, Haywards Heath, West Sussex, RH17 5DA, ,		
Validation Date	4 Mar 2025	Overall Expiry Date:	11 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Apr 2025
Target Date:	29 Apr 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	Stephen Ashdown	Date:	25 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0561

**Cuckfield Service Station, Whitemans Green, Cuckfield, Haywards Heath, West Sussex, RH17 5DA,
Erection of a D6 illuminated advertising display
Wildstone Estates Limited**

LETTERS OF REPRESENTATION

2 letters of objection have been received on the following grounds:

- Distraction to drivers
- Not in keeping with the character of the Conservation Area
- Light pollution

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The application site is a petrol service station located in a prominent position at the heart of the Whitemans Green Conservation Area. The existing petrol station is a relatively modern structure and has variety of signage including a standard internally illuminated totem sign displaying fuel prices. It is not an attractive building, and the station and forecourt in my opinion detract from the character and appearance of the Conservation Area.

There is a listed building, 1 and 2 Lambs Cottages, located a short distance of the petrol station to the west along Whiteman's Green. However, due to the scale and location of the current proposal and the presence of intervening built form between the site and Lambs Cottages, the proposal is not considered to materially affect the setting of this heritage asset.

The current proposal follows on from refusal of consent for a new free standing internally illuminated advertisement unit, which was to be located to the eastern side of the forecourt adjacent to the wall between this and the adjacent car parking area to the Coop shop. Notwithstanding the poor visual quality of the existing garage forecourt and building, the addition of a freestanding internally illuminated advertisement panel was considered to add further unattractive clutter to the site, which would detract from the character and appearance of the Conservation Area. The impact of the proposal was considered to be exacerbated by the scale of the proposed panel at 2.4m height, its location in a relatively prominent position near to the road frontage and junction at the heart of the Area, and the inclusion of internal illumination, an urbanising feature not typical of the Area, which is essentially semi-rural in character.

The proposal currently in front of us is for installation of a similar internally illuminated advertisement panel in a revised position set against the forecourt facing elevation of the service station building. In many circumstances the principle of internally illuminated advertisements within a Conservation Area will be considered contentious, as was the case with the previous application. However in this instance as the panel is to be set against the face of the petrol station building, away from the road frontage and under the forecourt canopy, the principle is in my opinion hard to resist particularly as the panel will be viewed in the context of all of the existing forecourt signage, lighting and other visual clutter. On balance, the proposal in my opinion will not adversely affect the appearance of the site, or materially affect the contribution which it makes to the character and appearance of the Conservation Area.

For these reasons the proposal is considered on balance to preserve the character and appearance of the Whitemans Green Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF.

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

The application seeks advert consent for the erection of an illuminated small format advertising display.

RELEVANT PLANNING HISTORY

CU/429/84 - 1 illuminated canopy fascia sign, 2 non-illuminated canopy fascia signs, 1 illuminated shop fascia sign, 4 illuminated pump canopy signs, 1 illuminated pole sign and price display modules. Permission

CU/018/97 - Provision of additional price/facility bar to existing monolith sign. Permission

14/03943/ADV - 2 no. 'Wave' style illuminated totem signs. 4 no. 'Blade' style illuminated hanging signs. 4 no. 'Koala' style non-illuminated hanging signs. 8 no. 'Pump Number' non-illuminated hanging signs. 2 no. 'End Cap' non-illuminated hanging signs. Permission

14/04599/ADV - New canopy fascia signs and refurbished MID Price Sign. Permission

DM/24/2136 - Erection of Illuminated small format advertising display. Refused

SITE AND SURROUNDINGS

The application site lies within the built-up area of Cuckfield as well as the Whitemans Green Conservation Area as defined in the District and Neighbourhood Plan.

The site is an established petrol filling station which has a canopy over the forecourt, a single storey flat roofed shop building as well as an area for air for tyres. The forecourt area is hardstanding.

The petrol station opening hours are 6am - 10pm, 7 days a week.

To the north of the site is the main highway with a row of terraced dwellings and open space the other side of the highway. To the south and west are mostly detached dwellings. To the east is a car park and Co-operative food store.

APPLICATION DETAILS

The application seeks advertisement consent for a new illuminated small format advertising display to be located against the east wall of the service station facing east into the forecourt approximately 13 metres from the highway boundary. The display will have a height of 2.16 metres, width of 1.23 metres and a depth of 0.22 metres and a screen size of approximately 0.93m by 1.65m. The display will be constructed from zinc powder and fine grain powder coated galvanized steel in black (RAL 9005). The display will have a brightness level of 300cd/sqm from dusk to dawn and up to 5,000 cd/sqm at all other times.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Document and the Cuckfield Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP21 - Transport
DP26 - Character and Design
DP35 - Conservation Areas

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

No relevant policies.

Cuckfield Neighbourhood Plan (made October 2014)

Relevant policies:

CNP1 - Design of New Development and Conservation

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant Policies:

DPN8 - Light Impacts and Dark Skies
DPB1 - Character and Design
DPB3 - Conservation Areas

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

NATIONAL POLICY

The National Planning Policy Framework (NPPF) December 2024
Planning Practice Guidance
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

ASSESSMENT

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that:

'A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account - (a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors'. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and factors relevant to public safety include the safety of persons using any highway (amongst others) and whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign (amongst others).'"

Paragraph 141 of the National Planning Policy Framework states:

'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisement, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

Impact on Visual Amenity

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

Policy DP35 of the Mid Sussex District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- *New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- *Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- *Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*

- *Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
 - *Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
 - *New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*
- Development will also protect the setting of the conservation area and in particular views into and out of the area.*

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.'

The ethos of this policy is echoed in policy CNP1 of the Cuckfield Neighbourhood Plan.

Representation letters have been received raising objection to the proposal due to the impact on the conservation area and light pollution created by the display.

The MSDC Conservation Officer has been consulted and provided comments included at the beginning of this report raising no objection. The proposed display would be set back from the highway within the forecourt of the station against the service station building and therefore not in a prominent location with main visibility to those already at the petrol station. For this reason it is considered that the proposal is considered to preserve the character and appearance of Whitemans Green Conservation Area.

The display is within the already illuminated petrol station and facing into the forecourt and is therefore not considered to create additional harm of light pollution. The brightness will also be reduced to 300cd/sqm from dusk to dawn.

The proposal therefore complies with policy DP26 and DP35 of the Mid Sussex District Plan, policy CNP1 of the Cuckfield Neighbourhood Plan and the relevant paragraphs of the NPPF.

Public Safety

Policy DP21 of the Mid Sussex District Plan relates to transport and states that development proposals should protect the safety of road users and pedestrians.

Comments have been received raising objection as the proposal would cause a distraction to passing drivers. The proposed display would be located approximately 13 metres from the highway boundary and facing parallel to the highway therefore not considered to represent a hazard to public safety. Therefore, the proposal complies DP21 of the Mid Sussex District Plan.

CONCLUSION

The proposed illuminated display is considered to be acceptable in terms of design and location, would preserve the character and appearance of the Whitemans Green Conservation Area and not create a hazard to public safety. The proposal therefore is considered to comply with Policies DP26 and DP35 of the Mid Sussex District Plan, Policy CNP1 of the Cuckfield Neighbourhood Plan and the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Peter Davies