7 Soho Square
London
W1D 3QB
UNITED KINGDOM

14th March 2025

Our Ref: 31871/A5/CH
Planning Portal Ref: PP-13856389

Planning Department
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007
173 LONDON ROAD, BURGESS HILL, WEST SUSSEX, RH15 8LJ
INSTALLATION OF DIGITAL ADVERTISEMENT DISPLAY

This cover letter has been prepared on behalf of Wildstone Estates Limited, an outdoor media infrastructure provider, and is submitted in support of an application for advertisement consent to erect a single-sided freestanding small format advertisement display at the above site.

The Site comprises a Petrol Filling Station (PFS) owned by Motor Fuel Group (MFG), the largest independent forecourt operator in the UK. The Company currently has around 1,200 sites which offer customers a growing dual-fuel strategy, a versatile valeting offer and a convenient retail and 'food to go' portfolio.

Wildstone Estates Limited is working in partnership with MFG to modernise existing advertising infrastructure across the MFG portfolio and where possible to rationalise and declutter existing advertisements, which aligns with an industry wide programme.

THE PROPOSAL

The proposal seeks to erect a single-sided freestanding small format advertising display which will exhibit static advertisements on rotation. This is a standard small format advertisement, which is found across the UK in roadside, retail and transportation environments. There are over 75,000 6-sheets in the UK. The advertisement which is the subject of this application is primarily aimed at users of the PFS rather than road users.

The proposed small format advertisement display will have the following dimensions: 1.23m(w) x 2.4m(h) x 0.22m (d). The bottom of the display will be located 0.41m above ground level.

The proposed advertisement will utilise LCD digital technology which is durable, efficient and can be easily erected with minimal engineering. The quality of the image produced will mimic that of a traditional paper and paste display (**Appendix 1**). The proposed display will meet modern requirements and will be capable of displaying 6 advertising campaigns at a time, sequencing every ten seconds. The advertisements will comprise local and national campaigns as well as goods and services sold on site.

The small format advertisement display will be monitored and controlled remotely in real time from a Network Operation Centre (NOC) to display advertisements and facilitate responsive maintenance where necessary. Diagnostics software can report any small technical faults (e.g. a broken panel) so that a kill switch can turn the content to black. Engineers can respond within 24 hours to any issues which require attendance.

CONDITIONS

All advertisements are subject to the five standard conditions set out in the Regulations. The vast majority of digital advertisement consents now also operate within an established set of parameters that include controls over the level of luminance and the proposed speed and rate of change between adverts. These “industry standard” conditions have evolved over time to address common concerns relating to amenity and public safety.

The proposed display will operate with a system of threshold controls, timers and light sensors to ensure that the luminance never exceeds the ILP guideline figure at night time, with lower thresholds set on more sensitive sites.

Newly published guidelines by the Institute of Lighting Professionals (ILP) have introduced a new set of model conditions which can be applied to advertisement consents going forwards. The model conditions are set out within Appendix 1 of Technical Note 5 “The Brightness of Illuminated Advertisements including Digital Displays” (PLG05/23) and are included within **Appendix 2** of this statement for clarity.

THE SITE

The Site is located wholly within the commercial entity of the PFS and the small format advertisement display will be positioned within the site boundary. The Site is a PFS characterised by a retail unit, click and collect lockers, large canopy, petrol pumps on the forecourt and various commercial signage including a double-sided totem-style display (see **Figure 1**).

Figure 1

The Site is located along London Road (A5) and the sitting of the new display is at the exit of the PFS. The immediate surroundings are mixed in character. Directly to the north of the Site is a terrace of commercial units, with residential properties located above and to the east, on the opposite side of London Road, is a veterinary practice and industrial unit which display various business-related signage (see **figures 2, 3 and 4** below). A

church, and further commercial units are located to the south of the PFS. Two small blocks of flats are located to the south east of the Site on the opposite side of London Road, and residential properties are located to the west of the PFS behind fencing and vegetation, however, it is clear that signage displays form part of the character of the area, alongside street lighting and road signage.

Figure 2

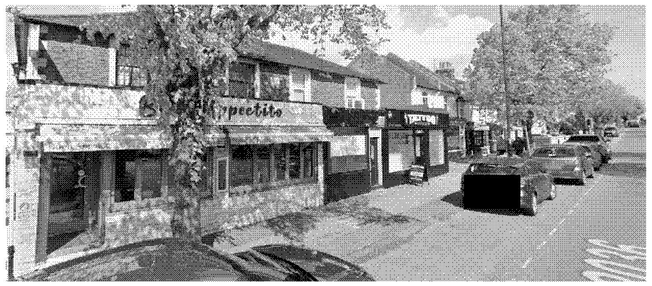


Figure 3

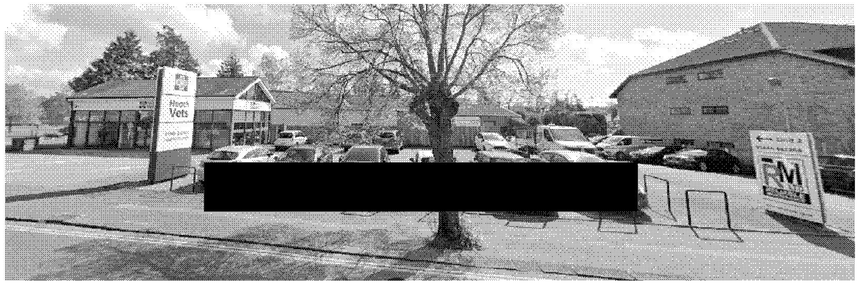


Figure 4

The proposed advert display will be viewed predominately by users of the PFS. The display will be visible to residential windows approximately 50m to the south east of the proposed display, however due to careful positioning and on the basis that there is already various existing signage within the existing PFS, the impact on the surrounding area is negligible.

The Site itself not located within a conservation area, nor does it have any historic designations, however it is adjacent to Fairfield Conservation Area. However, given the existing commercial character of the PFS, the

proposal will have minimal impact and is in keeping with the surrounding area. The Site is not located within the setting of any further historic assets.

In accordance with the categorisations set out in the newly published ILP Guide PLG 05/23, the proposal would be classified as within Environmental Zone 4 (Urban).

PLANNING POLICY

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the “Regulations”). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2024 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 141 of the National Planning Policy Framework (NPPF) advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. As described in the National Planning Practice Guidance (NPPG) the regime is a “lighter touch” than the system for obtaining planning permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.

The Development Plan for the area consists of the Mid Sussex District Plan, adopted March 2018, and the Site Allocations Document, adopted in June 2022. Neither the District Plan or supplementary planning guidance contain any policies specifically relating to advertising, however Policy DP26 (Character and Design) of the District Plan states that all development will be well designed and reflect the distinctive character of the towns and villages.

Furthermore, Policy DP35 (Conservation Areas) of the District Plan states that development will protect the setting of the conservation area and in particular views into and out of the area.

PLANNING CONSIDERATIONS

The proposed commercial location is appropriate in principle for a small format advertisement display and in line with planning regulations, the impact of the proposal has been considered in amenity and public safety terms and are addressed in turn below.

Amenity

The Site is a PFS and is a commercial site situated off the A5. The Site has been selected as an acceptable location for advertising in principle due to the context of the Site and its surroundings, including commercial signage, road signage and streetlighting in the local area, which establishes the Site as appropriate for an illuminated small format advertising of this type.

The commercial character of PFS, the small scale of the advertisement and the fact that it is located within the confines of the PFS, which includes PFS-related infrastructure (i.e. business signage, canopy, retail kiosk and a totem display), also establishes the Site as appropriate for an illuminated small format advertising of this type. The advertisement would be viewed within the context of the petrol station and its infrastructure (including the scale of the large existing canopy and totem) and, as such, would not appear out of scale with its immediate environment. It would not appear out of place and will sit positively within the surrounding area and the existing character and therefore will have limited impact on any existing views.

The Site is located within the setting of a conservation area, however due to being contained within the PFS which displays various existing signage and operates 24 hours a day, the proposal will not be detrimental to the setting of the conservation area, including the views into and out of the area.

The proposal would not be detrimental in either an immediate or wider sense. The proposed display will be visible to residential flats located approximately 50m to the south east of the Site, however due to careful positioning

and on the basis that there is already various existing signage within the existing PFS, there will be minimal impact on visual amenity.

The Site is located within an urban area in which a brightness level of 300cd/sqm is considered acceptable during night time and, in accordance with the categorisations set out in the newly published ILP Guide PLG 05/23, it is recommended that the maximum nighttime luminance of the display should be set at 300cd/m2 for Environmental Zone 4. As such brightness would be 300 cd/sqm from dusk to dawn and up to 5,000 cd/sqm at all other times dependent on time of day/year and ambient conditions, in line with ILP Guidance'.

The proposed panel will upgrade and modernise the Site in line with the long term aspirations to modernise the MFG PFS estate to meet customer requirements. It will add value to the wider regeneration of the area and will sit comfortably within the existing site and wider surrounding area.

Public Safety

Digital advertising is now a common feature in town centres, local neighbourhood centres and adjacent to major/main roads across the Country. When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from the driving task.

As the principle of an advertisement is acceptable at this location, the Council must consider whether the proposed controls are sufficient to ensure that there is no additional distraction which would cause an unacceptable impact on highway safety. Should the Council's Highways department identify any reasons why the location might be challenging to drivers, the applicant would be open to discussing alternative controls. However, it should be noted that the proposed conditions are now well established as best practice and as such any change (e.g. to the rate of change) would be unusual and would need to be evidence based and specific to the location.

The Site is an uncomplicated location which drivers should be able to navigate with ease. The panel has been positioned to ensure that no driver visibility is blocked for users of the PFS leaving the Site. London Road is a straight, single carriageway. The cognitive demand on road users at this point is low as there are no unusual highway complexities which would require extra care to be taken. As such, drivers would be entirely capable of glancing at advertisements whilst maintaining stopping distances and an awareness of surrounding traffic movements. The proposed panel would incorporate illumination levels which align with the ILP's Guidance and this intensity is considered wholly acceptable for the location.

CONCLUSION

The proposal seeks to erect a small format digital advertising panel at the Site which is an appropriate location for advertising in principle and will contribute to the wider modernisation of the sites which sit within the MFG portfolio. The size and scale of the small format advertisement display is de-minimis in the context of the PFS. PFS sites are an appropriate location in principle for this form of advertising and the positioning and operational controls have been carefully considered to ensure that the proposed digital advertising display fit in appropriately to the Site and the wider surrounding area and will not have a negligible impact on public safety.

The proposed conditions to control the operation of the advertisement including the luminance of the digital display will ensure that there is no adverse impact on visual or residential amenity or public safety.

For these reasons and the positive benefits set out, it is not considered that the proposal would have any detrimental impact on amenity or public safety and as such it should be capable of being granted consent subject to appropriate conditions to control the operation of the advertisement.

APPLICATION SUBMISSION

To complete the application, please find attached the following documentation:

- Completed application forms;
- Letter Statement (this letter);

- Architectural drawings including:
    - 23702/PA/01 Site Location Plan
    - 23702/PA/02 Existing Site Plan
    - 23702/PA/03 Proposed Site Plan
    - 23702/PA/04 Site Location Plan
    - 23702/PA/05 Existing and Proposed Elevations
    - 23702/PA/06 Specification
    - 23702/PA/07 CGI

Additionally, we will arrange payment to the Council to cover the cost of the Advertisement Consent application.

I trust that the above is clear and we look forward to receiving notification that the application has been registered in due course. Should you have any queries in relation to any of the attached information, please do not hesitate to contact me.

Yours faithfully,

[redacted]

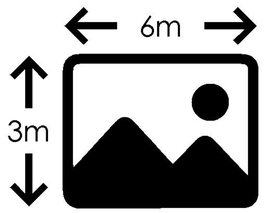
APPENDIX 1: D-POSTER INFORMATION SHEET

D-POSTER

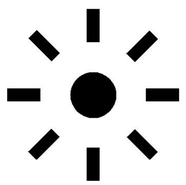
D-Poster

Paper and Paste

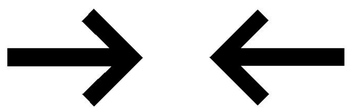
High resolution LED display



Sized to match existing poster panels



Dimmable to 55 cd/m²
Embedded ambient light sensors to control brightness



Reduced depth of 60mm compared to traditional digital panel (300-600mm)

APPENDIX 2: ILP MODEL CONDITIONS

Model Conditions

The following model conditions are as set out in Appendix 1 of the Institute of Lighting Professionals (ILP) Technical Note 5 “The Brightness of Illuminated Advertisements including Digital Displays” (PLG05/23).

The model conditions include the standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 [The Regulations].

The first condition relates to the standard time period of a consent, which unless otherwise specified should be five years, as set out on Part 3 of The Regulations. Please note, following the expiry of the time period an application would benefit from Deemed consent under Class 14 Schedule 3 of the Regulations. As set out in National Planning Practice Guidance (NPPG), conditions cannot be used to prevent the operation of Class 14 unless supported by specific and relevant planning considerations.

The second condition seeks to ensure that the application is implemented in accordance with the approved plans and application documents.

Conditions 3 to 7 represent the five “standard conditions” attached to all applications for advertisement consent, set out in Schedule 2 of the Regulations.

Conditions 7 to 13 are commonly applied to digital consents and have been standardised by ILP with reference to the updated guidance document.

These conditions can be adapted to suite the application proposal, with additional conditions added where they pass the standard tests set out in the National Planning Policy Framework (NPPF).

Time Period

1. The consent now granted is limited to a period of five years from the date hereof.

   Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Application Documents

2. The development shall be undertaken in strict accordance with the approved documents for this Advertisement Consent which comprise:

   - Completed application forms;
   - Letter Statement;
   - Architectural drawings including;
     - 23702/PA/01 Site Location Plan
     - 23702/PA/02 Existing Site Plan
     - 23702/PA/03 Proposed Site Plan
     - 23702/PA/04 Site Location Plan
     - 23702/PA/05 Existing and Proposed Elevations
     - 23702/PA/06 Specification
     - 23702/PA/07 CGI

   Reason: To define the permission and for the avoidance of doubt and in the interest of

proper planning procedures.

Standard Conditions

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

   Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

   Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

   Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

   Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. No advertisement shall be sited or displayed so as to:

   a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military).

   b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal, or aid to navigation by water or air.

   c) Hinder the operation of any device used for the purpose of security, or surveillance, or for measuring the speed of any vehicle.

   Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Digital consents

8. There shall be no moving images, animation, video or full motion images displayed unless otherwise permitted by this consent.

   Reason: In the interests of amenity and in order to retain effective planning control.

9. In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m2 in accordance with the recommended maximum night time luminance value set out for Environmental Zone 4 in Table 10.4 within the Institution of Lighting

Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m2.

Reason: In the interests of amenity, public safety and in order to retain effective planning control.

10. In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m2.

    Reason: In the interests of amenity, public safety and in order to retain effective planning control.

11. Unless otherwise permitted, the minimum display time for each advertisement shall be 10 seconds and the advertisement shall not include any features which would result in interactive messages / advertisements being displayed.

    Reason: In the interests of amenity, public safety and in order to retain effective planning control.

12. The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without effect. The display to include a mechanism to default to a blank or black screen in the event of malfunction, or if the advertisement is not in use.

    Reason: In the interests of amenity, public safety and in order to retain effective planning control.

13. No images displayed shall resemble official road traffic signs, traffic lights or traffic matrix signs.

    Reason: In the interests of amenity and in order to retain effective planning control.

APPENDIX 3: SITE SPECIFIC INFORMATION SHEET

Application for Advertisement Consent: Proposal Factsheet

URN: FS340

Job number: 23702

Site Name: 173 London Road, Burgess Hill, West Sussex, RH15 8LJ

Planning Portal Reference: PP-13856389

Advertising Type	Digital
Size of Advertisement (HxWxD)	1.23m(w) x 2.4m(h) x 0.22m (d)
Number of Panels	1no.
Max Daytime Illumination *(to be adjusted based on application)*	Up to 5,000 cd/sqm (Brightness will vary during daylight hours based on ambient brightness (ie brighter on a cloudless summers day than overcast winters day)
Max Night-time Illumination *(to be adjusted based on application)*	300cd/sqm
Notes	Brightness adjusted by a light sensor backed by a light table