

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2671	Case Officer:	Deborah Lynn
Application Type:	Advertisement Application		
Proposal:	The installation of 1no. BT Street Hub and removal of associated BT payphones.		
Site:	Telephone Box, Church Walk, Burgess Hill, West Sussex, , , ,		
Validation Date	12 Nov 2025	Overall Expiry Date:	4 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 Dec 2025
Target Date:	7 Jan 2026	Recommending Officer Signature:	Deborah Lynn

Date Legal Agreement Completed: (if applicable)		No of Representations:	6
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Signed and Agreed By:	Stephen Ashdown	Date:	23 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2671

**Telephone Box, Church Walk, Burgess Hill, West Sussex, , ,
The installation of 1no. BT Street Hub and removal of associated BT payphones.
Ms Verity Cheyne**

SUMMARY OF REPRESENTATIONS

Six letters of objection received raising the following concerns:

- Proposed installation is ugly, incongruous and unnecessary advertisement hoarding
- Monolithic appearance and level of illumination detrimental to visual amenity
- By reason of siting and size will appear cramped, resulting in a cluttered streetscape, causing visual harm to public realm
- Contrary to NPPF which has aims of well-designed / beautiful places
- Church Walk should be retained as pleasant, pedestrianised area
- Proposal would not preserve or enhance character or appearance of any conservation area
- Conflicts with guidance in Streets for All: Advice for Highway and Public Realm Works in Historic Places (2018)
- Poorly site advertisements can have degrading impact on character of conservation areas and settings of listed buildings, especially if have digital screens or internally illuminated, contrary to NPPF
- Cities in Europe are taking steps to reduce visual clutter on public spaces, improving surroundings and making cities more liveable
- Applicant has not provided sufficient justification that it is necessary, irresponsible to place a supersized smart phone in public domain when adverse effects of social media and smart phones on children are in the spotlight
- Not useful when majority of public have their own mobile phones
- Proposal is not like for like replacement
- Unit is an opaque block, reducing visibility and causing obstruction, particularly for disabled people with mobility, visual and cognitive impairment, places undue risk on public safety of pedestrians
- Deliberately distracting installation will compromise road safety, blocking visibility of road users and pedestrians, will be visible to drivers on Church Road
- Will impact neighbours sleep and wellbeing / mental health, frequently changing illuminated screens are not conducive to calm, peaceful relaxation
- Digital advertising screens are associated with crime and anti-social behaviour
- Street Hubs attract graffiti, drug dealing, hoax phone calls
- Unit provides a hiding place for would be assailants, likely to make people feel unsafe
- Position of hubs make it hard to make phone calls and ability to hear / be heard
- No proposal as to how Council may use collected information, limited details as to whether Council will find data useful
- Please provide any maintenance and management plan for the hub units to ensure kept clean and in working order
- Street Hubs will bring ultrafast Wifi, 4G/5G antennas and small cell technology to streets, bringing microwave radiation even deeper into communities where people live and work
- Is there data on possible toxicity to people?
- Installation has no regard to those with conditions such as autism, epilepsy or mental health condition who may be overly stimulated by displays
- Use of LED light sources is having adverse impact on human health, huge increase in people suffering light sensitivity, symptoms include eye pain, migraines, skin rashes, insomnia and nausea from exposure to LED lighting
- Increased number of people dealing with electro-hypersensitivity (EHS) exacerbated by growing number of electric devices
- Numerous studies that blue lights on screens contribute to long term / serious eye conditions

- For some, adverse impact on daily life is so extreme they meet the test for disability under the Equality Act
- Local authorities have legal duty to such people regarding planning decisions on lights and LED advertising boards installation
- Proposal is close to a play train, children are classed as sensitive receptors
- Children are developing cancer diagnosis in clusters following installation of radiating units / towers near schools.
- Where is the vital public health safeguard, does proposal show it meets the ICNIRP guidelines for telecommunications advice?
- ICNIRP certificate does not account for effects of EMF radiation on people with AIMD's or metal implants in the body - what measures / warnings will there be to such vulnerable people?
- There are no exclusion zones for hubs so how will people with AIMDs or metal implants be protected?
- ICNIRP certificate includes reference to document for workers on site but not for passers by
- Question validity of signature on ICNIRP certificate
- Display screens will distort clear imaging from CCTV came
- LED lights are likely to negatively impact insects, birds and bats contrary to BNG plan, ultra sonic frequencies can affect wildlife
- Proposal will drain power, who pays for the power to support their 24/7 running? Emissions should be considered as digital advertising screens use a great deal of energy undermining net zero ambitions
- No information provided to demonstrate how the proposal would integrate sustainable technologies to promote sustainable design and construction, contrary to sustainability goals
- An Environment Statement should consider implications of hub on extraction, processing, usage and disposal of materials and effects of radiation on public health
- Raises questions over privacy and human rights as some structures incorporate surveillance technology, what is the range of the CCTV? Will it capture and record biometric facial recognition data? Who is data shared with? What about people's residences are within line sight of the cameras? Who would monitor, regulate and control data?
- Defibrillators are easily attached to a nearby wall, no justification for defibrillator
- Provision of 5G and Wifi could be provided by simple pole installation, large advertisement screens are excessive
- Will result in overcommercialisation, a revenue source for applicant and advertisers, unlikely to benefit local businesses
- Adverts promote consumerism, fast food adverts encourage youngster to buy foods high in fat, sugar or salt
- Radio frequency radiation will reduce footfall in town and impact local commerce
- Where are the 2 BT payphones being removed?
- Public benefit is far outweighed by potential harm to humans, wildlife and environment
- These applications should be put to an actual vote from the community.
- Proposal would bring no benefit to crumbling town.

SUMMARY OF CONSULTEES

Not applicable.

BURGESS HILL TOWN COUNCIL OBSERVATIONS

The Committee of 8th December would Recommend Approval subject to a suitable condition to protect residential amenity at night.

INTRODUCTION

This application seeks planning permission for the installation of 1 no. BT Street Hub and the removal of a BT payphone.

RELEVANT PLANNING HISTORY

There are no previous applications deemed relevant.

SITE AND SURROUNDINGS

The application site comprises a pedestrianised shopping area within Burgess Hill town centre, which forms part of the publicly maintained highway boundary.

The proposed Street Hub would replace an existing BT payphone which is sited to the northeast of the commercial unit at 65-69 Church Walk, currently occupied by Peacocks. Residential flats are located above the shop and many of the surrounding commercial premises.

In terms of planning policy, the site lies within the built up area of Burgess Hill and also the Leisure and Entertainment Quarter as defined by the Neighbourhood plan.

APPLICATION DETAILS

Plans show that the Street Hub unit would measure 1.24 metres wide by 0.35 metres deep and 2.98 metres high.

It would be constructed from galvanised mild steel with a powder coated external grade stainless steel or aluminium exterior. The unit would include two digital 75 inch LCD advertisement display screens; these will be made from tempered and toughened laminated glass and will be internally illuminated.

The Street Hub is a modern, free-standing structure providing ultrafast public Wi-Fi, free UK calls, USB charging, and digital display screens for community messaging and advertising. The hubs can also house sensors that count pedestrian, cyclist and vehicle movements as well as monitor air, sound and light.

This application is accompanied by an application for planning permission, reference DM/25/2901.

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, the Site Allocations Document (DPD) and the Burgess Hill 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:

DP2 Town centre development

DP21 transport

DP26 character and design

Site Allocations DPD

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

There are no relevant policies to this application.

Burgess Hill Heath Neighbourhood Plan

The Burgess Hill Neighbourhood Plan was made on 28th January 2016.

Relevant policies:

TC2 The Leisure and Entertainment Quarter

Other Legislation

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

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 the 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:

DPB1 character and design

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 Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework is a material consideration.

Paragraph 141 relates to advertisements and states that:

'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 advertisements, 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.'

National Planning Policy Guidance

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out that:

'3.—(1) 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.
 (2) Without prejudice to the generality of paragraph (1)(b)—
 (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
 (b) factors relevant to public safety include—
 (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
 (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.'

Several letters of representation have been received regarding the application, which raise a number of issues. However, as noted above, as this is an application for advertisement consent, the local planning authority can only consider impact on visual amenity and public safety.

Many of the issues raised are considered under the accompanying planning application, reference DM/25/2901.

Visual Amenity

Policy DP26 of the District Plan is deemed relevant when considering this application. This relates to character and design and states in part that:

"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;*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;'*

Policy DP2 of the District Plan relates to town centre development and states in part that development proposals should be appropriate in scale and function to their location including the character and amenities of the surrounding area.

Representations received have raised concerns regarding impact upon conservation areas and the setting of a listed building.

The application site does not fall within a conservation area; nor does the proposal affect the setting of a listed building.

Representations received have also raised concerns regarding the nature of the advertisements to be displayed, as these may promote an unhealthy lifestyle. The local planning authority can only assess impact upon the visual amenities of an area and cannot comment on the content of the advertisements to be displayed.

The proposed Street Hub would replace an existing BT payphone which is of limited visual merit. The Street Hub would have a smaller footprint than the existing payphone, being more slender in depth, and

consequently is not considered to create a cluttered or cramped appearance within the street scene, particularly as this pedestrianised part of Church Walk is 22.5 metres wide.

Proposed plans show the Street Hub unit to be taller and wider than the existing payphone, with a more solid appearance. As such, it is considered that the Street Hub would appear more visually imposing within the locality than the existing payphone. However, the unit is considered to be proportionate in scale to its surroundings and is of a slim, modern design, such that it should not appear visually dominant within the street scene.

The digital display screens would measure 0.95 metres wide by 1.67 metres high and would display commercial advertisements as well as council and community messaging.

Given the Hub's proposed location within a pedestrianised shopping area where there is a variety of signage, it is not considered that the proposed advertisements would appear out of keeping or detrimental to the appearance and character of the area.

Specification details provided with the application state that the digital display screens would have a maximum nighttime brightness of 600 cd/m². As background ambient lighting levels are generally considered higher during the day, luminance levels will need to be increased; suitable lighting controls will be incorporated within the unit to monitor ambient lighting levels and adjust the displays' luminance accordingly. A maximum daytime brightness of 5000 cd/m² is proposed. Current guidance on luminance levels as set out under The Institute of Lighting Engineers' Professional Lighting Guide 05/23 "The Brightness of Illuminated Advertisements including Digital Displays" (2023) advises that maximum luminance levels during the hours of darkness should not exceed 300 cd/m² in an E3 environmental zone. The applicant has advised that they would be willing to accept a condition in this respect and as such, it is not considered that the Street Hub would appear so visually bright and intense as to have a detrimental impact upon the visual amenity of the area.

The proposal is therefore considered to accord with policies DP2 and DP26 of the District Plan.

Public Safety

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

Policy TC2 of the Neighbourhood Plan advises that the public square within the Entertainment and Leisure Quarter should be pedestrian and access friendly.

Plans show that the Street Hub unit would be sited 7.13 metres from the adjoining commercial unit at Peacocks and within a pedestrianised area that measures 22.5 metres wide. As the unit is only 1.24 metres wide and 0.35 metres deep, it is not considered to take up a significant proportion of the pavement as to hinder access for pedestrians, particularly those with mobility issues or visual impairment.

Due to the proposed location of the Hub, which would be sited over 50 metres from vehicular traffic on Church Road and over 130 metres from vehicular traffic on Lower Church Road, it is not considered that the unit would be visually distracting to motorists or pedestrians in those areas as to be detrimental to highway safety. As previously noted, conditions would be imposed to ensure that luminance levels comply with those as set out under The Institute of Lighting Engineers' Professional Lighting Guide 05/23.

The display of advertisements is not considered to obscure or hinder views of any traffic signs or hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

With this in mind, the proposal is considered to have an acceptable impact in respect of public safety thereby complying with policy DP21 of the District Plan and policy TC2 of the Neighbourhood Plan.

PLANNING BALANCE AND CONCLUSION

The proposed Street Hub is deemed acceptable in terms of design, form and scale, such that it should not have a detrimental impact upon the street scene and visual amenity of the area. Nor is the proposal considered to be detrimental to public safety.

The proposed development therefore accords with policies DP2, DP21 and DP26 of the Mid Sussex District Plan, policy TC2 of the Burgess Hill Neighbourhood Plan and paragraph 141 of the NPPF.

Decision: Permission

Case Officer: Deborah Lynn