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UNITED KINGDOM

28 February 2025

Our Ref: 31871/A5/AB
Planning Portal Ref: PP-13814735

Mid Sussex District Council
Oaklands Rd,
Haywards Heath
RH16 1SS

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007
WHITEMANS GREEN, CUCKFIELD HAYWARDS HEATH, WEST SUSSEX,RH17 5DA
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 D6 advertisement display, attached to the kiosk 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 is for a single-sided small format advertising poster which will exhibit static advertisements on rotation. This is a standard 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 has the same dimensions as a standard 6-sheet hoarding, measuring 1.23m(w) x 2.165m(h) x 0.22m (d). The display will be attached to the retail unit in the PFS.

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 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 display will be internally illuminated and set at levels of 300cd/sqm at night and up to 5,000 during day, depending on time of day and year, based on ambient lighting conditions.

THE SITE

The Site is located within the wholly commercial entity of the PFS, and the advertisement display will be positioned within the Site boundary. The Site is a PFS characterised by a retail unit, car wash, large canopy, petrol pumps on the forecourt and various commercial signage including free standing displays at the entrance, and one totem sign (see **Figure 1 and 2**).

Figure 1



Figure 2



The Site is located along Whiteman's Green Road (B2114) in the village of Cuckfield. It is important to note that the Site itself is enclosed within the curtilage of the PFS. The surroundings are predominantly mixed-use, featuring both residential and commercial properties. To the east of the Site, there is a commercial food supermarket that displays advertisements around the building (see **Figures 3 and 4** below). Additionally, within the wider context, there are other commercial premises nearby that display flag advertising and free-standing displays (see **Figure 5** below). Consequently, both small and large format advertisement displays are characteristic of the area. The location of the sign within the confines of the PFS and set back from the main road means that there will be negligible impact on any residential properties.

The Site is located within Cuckfield conservation area; however, it should be noted that the small format advertisement has minimal visual impact on the overall character of the conservation area, nor does it dominate the streetscape or detract from the historical and architectural significance of the surroundings. This is due to the presence of other business related signage in the immediate context of the Site and the fact that the display will only be visible in the context of the PFS entity, due to its' careful positioning attached to the existing retail unit. .

There is a Grade II listed building (Historic England reference: 1025500) within proximity of the Site, 68 metres to the West. However, the advertisement display is strategically placed within the PFS Site, ensuring it is not visible from the Grade II listed building. This careful positioning respects the visual integrity and historical significance of the listed building and so the display will not have an impact upon this heritage asset.

Figure 3



Figure 4



Figure 5



The Site was subject to a previous application for an illuminated advertising display, which was to be displayed on the eastern boundary of the PFS facing outwards along Whiteman's Green, (ref. DM/24/2136). The decision to refuse the previous application on the PFS was given on the following grounds:

"The proposed sign, by reason of its location and illumination, is considered to cause harm to the character and appearance of Whitemans Green Conservation Area. The harm is considered to be less than substantial, it is not considered that this harm would be outweighed by the public benefits of the proposal".

Despite the Reason for Refusal relating to heritage concerns, the officers delegated report, notes that the PFS itself "*is not an attractive building, and the station and forecourt in my opinion detract from the character and appearance of the Conservation Area*". The officer also noted that the location of the retail unit means there is no material effect on the neighbouring Listed Buildings, but *"the display's location in a relatively prominent position near to the road frontage and junction at the heart of the Area*" is an issue in the Conservation Area. As such, it is understood that the prominent positioning of the display on the frontage of the PFS was the reason that there was a perceived harm on the Conservation Area.

Taking on board the previous application and the officers concerns, the Applicant has considered a revised location for the proposed display. As such, the proposed display in its revised location, attached to the retail unit that is set back from Whiteman's Green, is considered to be better suited for this location. It will be viewed wholly within the confines of the PFS and so the impact on the conservation area is to be negligible.

The Local Highways Authority had no objection to the previous location of the display, which had a more prominent location to road users from Whiteman's Green and so given that the revised location is further within the PFS and set back from the road, it is considered that there would not be any highway safety concerns.

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 3 (Sub-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 Site falls within the administrative boundary of Mid Sussex District Council. The development plan for the area consists of the Mid Sussex District Plan, adopted in March 2018, covering the plan period between 2014 to 2031.

The Site is defined by the Cuckfield conservation area, which is covered by Policy DP35 (Conservation area) in the Councils Core District Plan. Policy DP35 ensures that any new development within a conservation area conserve or enhances its special character and appearance. It requires proposals to respect the historic layout, building styles, and materials typical of the area, and emphasises the maintenance and enhancement of public spaces and landscapes. This has been adhered to closely to determine the new location of the Site, sitting within the PFS and so not being a prominent feature of the street scene and harming the character of the conservation area.

Policy DP26 (Character and Design) in the Mid Sussex District Plan 2021-2039 focuses on Character and Design. It sets out high-level design principles that new developments are expected to achieve. The policy emphasises the importance of creating well-designed, sustainable, and attractive environments that respect the character of the area.

There are no policies directly relating to advertisements, however, there are authority-wide policies for all developments to be of high quality.

The Cuckfield Neighbourhood Plan was prepared and written by Cuckfield Parish Council and was adopted May 2014, the plan covers the period from 2011- 2031. It now forms part of the Development Plan for Mid Sussex Council and is used when determining applications in Cuckfield Parish. The Neighbourhood plan seeks to address the challenges that face the community of Cuckfield Parish. Policy CNP1 (Design of New Development and Conservation) in the Cuckfield Neighbourhood Plan focuses on the Design of New Development and Conservation. This policy aims to ensure that new developments are well-designed and respect the distinctive character and identity of Cuckfield. The local Parish Council did not object to the previous application.

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 address in turn below.

Amenity

The Site is a PFS and a commercial location next to the Whiteman’s Green Road (B2114). The Site has been selected as an acceptable location for advertising in principle due to the context and surrounding character. The context of the Site and its surroundings, including illuminated signs, streetlighting, road signage, and business signage, 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 totem), 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 totems) and, as such, would not appear out of scale with its immediate environment. This is demonstrated in the CGI submitted in support of the application. Therefore, it would not appear out of place and will sit positively within the surrounding area and the existing character. The advert will not therefore, impact on any existing views. This has been considered closely with the decision to move the location of the signage from the previous application, as shown by figures 6 and 7.

Figure 6 – The original location

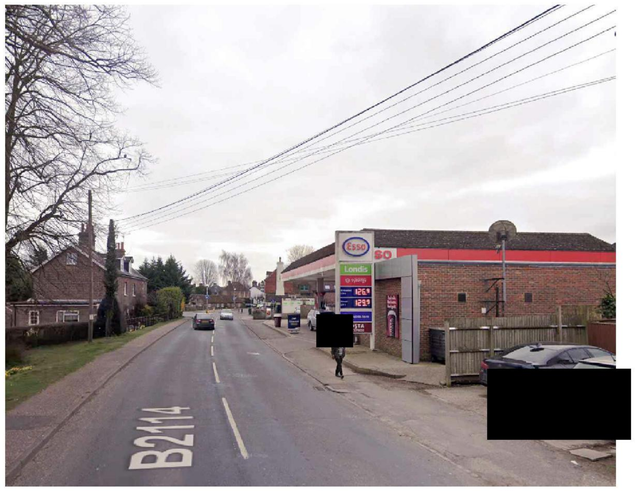


Figure 7 – Updated location



The Site is located within the Cuckfield conservation area. However, due to the small size and unobtrusive design of the illuminated sign and the careful positioning of the display, the advertisement will not have an impact on the character of the conservation area. Such displays can enhance the commercial viability of local businesses, which is essential for maintaining a vibrant and economically sustainable community. The display will it will be in accordance with the ILP Guidance which is best practice for this type of application (**Appendix 2**). Additionally, there are existing advertisements within the Site and other small advertisements in the immediate surroundings. These existing displays set a precedent that supports the case for the new small format advertisement display, as shown above by figures 6 and 7.

The nearest residential windows are approximately 20m to the north of the PFS, however due to the positioning of the advert, they would not be impacted by the illuminance of the signage and consideration should be given to the fact that the petrol station already operates during the hours of darkness.

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. It is worth noting the comments made by the local highways authority highlighted previously in this document.

The Site is in an uncomplicated location which drivers should be able to navigate with ease. 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 advertisement has been positioned to ensure that no driver visibility is blocked for users of the PFS entering or leaving the Site. The Site is accessed from Whiteman's Green Road (B2114), which has a 30 mph speed limit and is generally slow-moving. The display has been moved to a more modest location within the PFS, compared to the previous application which proposed for the display to be located adjacent to Whiteman's Green Road

According to crashmap.co.uk data, there have been no accidents near the Site in the past 10 years, therefore, indicating a very safe stretch of road.

CONCLUSION

The proposal seeks to install a 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 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 D6 digital advertising display fits in appropriately to the Site and the wider surrounding area and will not have a negligible impact on public safety.

The updated location reflects the comments made on the previous decision and is better sited within the PFS and so will not harm the character of the conservation area

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:
    - 23622/PA/01 Site Location Plan
    - 23622/PA/02 Existing Site Plan
    - 23622/PA/03 Proposed Site Plan
    - 23622/PA/04 Proposed Site Plan
    - 23622/PA/05 Existing and Proposed Elevations
    - 23622/PA/06 Specification
    - 23622/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

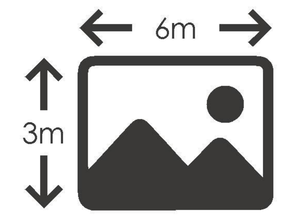
D-POSTER



D-Poster

Paper and Paste

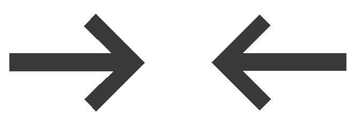
High resolution LED display



Sized to match existing poster panels



Dimmable to 55 cd/m^2
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;
     - 23622/PA/01 Site Location Plan
     - 23622/PA/02 Existing Site Plan
     - 23622/PA/03 Proposed Site Plan
     - 23622/PA/04 Proposed Site Plan
     - 23622/PA/05 Existing and Proposed Elevations
     - 23622/PA/06 Specification
     - 23622/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: 23622

Job number: 21871

Site Name: WHITEMANS GREEN, CUCKFIELD HAYWARDS HEATH, WEST SUSSEX,RH17 5DA

Planning Portal Reference: PP-13814735

Advertising Type	Digital
Size of Advertisement (HxWxD)	1.23m(w) x 2.165m(h) x 0.22m (d)
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