

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2673	Case Officer:	Catherine Cardin
Application Type:	Advertisement Application		
Proposal:	The installation of 1no. BT Street Hub		
Site:	Pavement Adj To Waitrose, 6 Clair Road, Haywards Heath, West Sussex, RH16 3DP, , ,		
Validation Date	5 Nov 2025	Overall Expiry Date:	11 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	15 Dec 2025
Target Date:	31 Dec 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	4
--	--	-------------------------------	---

Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	22 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2673

**Pavement Adj To Waitrose, 6 Clair Road, Haywards Heath, West Sussex, RH16 3DP, ,
The installation of 1no. BT Street Hub
Ms Verity Cheyne**

SUMMARY OF REPRESENTATIONS

Four letters of representation were received. These raised concerns regarding:

- Obstruction to pedestrians on the footway
- Harm to character and appearance of the area
- Degrading effect to Conservation Areas and Listed Buildings
- Obstruction to buses
- Driver safety
- Additional street clutter
- Siting and appearance
- Visual pollution
- Unnecessary advertising
- Lack of privacy for functions offered
- Inclusion of 4G and 5G antennae
- Health impacts of LED exposure
- Data capture and privacy
- Sustainability
- Lack of need
- Anti-social behaviour
- Lack of maintenance and management plans
- Sustainability

WSCC Highways

This application is for the installation of one new BT Street Hub and removal of associated BT payphones. The site is located on Perrymount Road, a B-classified road subject to a speed limit of 30mph.

This application does not propose the removal of a BT phone kiosk. The proposed Street Hub will be located within the publicly maintained highway. The LHA note a representation raising concern with regards to proximity to the carriageway. A horizontal clearance of 450mm from the kerb edge is standard practice and is referenced in various guidance/standards documents, such as DMRB CD123 and The Traffic Signs Manual and therefore the proposed 500mm clearance is deemed acceptable. The proposed location is not anticipated to result in an obstruction to pedestrians utilising the footway nor to result in an obstruction to vehicular visibility for vehicles travelling on Perrymount Road. The proposed Street Hub will provide two digital 75" internally illuminated LCD advert screens. The Design and Access Statement indicates that the proposed advertisements will not contain moving images and changes between the advertisements will be instantaneous with no animated transitions. The maximum daytime luminance level would be 5000cd/m². The Design and Access Statement indicates that the applicant would be agreeable to a condition restricting the BT Street Hub to a maximum luminance level of 600cd/m² in the hours of darkness; however, in accordance with Table 10.4 of The Institute of Lighting Engineers' Professional Lighting Guide 05/23 "The Brightness of Illuminated Advertisements including Digital Displays" (2023), the maximum luminance level for an advertisement within the E3 environmental zone is 300cd/m². Whilst the LHA would not raise any highway safety concerns to the principle of the proposed BT Street Hub, we would request that the applicant reduce the proposed luminance level within the hours of darkness to accord with the maximum luminance level for the location's

environmental zone. The LHA consider that this could be dealt with via condition, however the LPA may wish to resolve this matter prior to determination.

The Statutory Undertaker will need to submit the necessary notification to the Highway Authority independently and any traffic management will need to be agreed with WSCC Highways prior to works taking place.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal. If the LPA are minded to approve the application, the following conditions should be applied:

1. A. 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.
- B. No advertisement shall be sited or displayed so as to- (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- C. 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.
- D. 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.
- E. 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.

Reasons: To comply with the Town & Country Planning (Control of Advertisements) Regulations 2007.

2. The intensity of the illumination of the signs shall not exceed 300cd/sqm between the hours of 16:00-08:00 between October to March and between the hours of 21:00 - 05:00 April to September.

Reason: In the interests of road safety

3. The intensity of the illumination of the signs shall not exceed 5000cd/sqm during daylight hours.

Reason: In the interests of road safety

4. Any change in the advertisement shall be instantaneous and it should not display any moving images.

Reason: In the interests of road safety.

5. The panels displaying the advertisements shall not change more than every 5 seconds.

Reason: In the interests of road safety.

TOWN COUNCIL REPRESENTATIONS

No comment.

INTRODUCTION

Planning permission is sought for the installation of 1no. BT Street Hub.

RELEVANT PLANNING HISTORY

12/02935/FUL- Demolition of existing buildings on Perrymount Road and redevelopment of the site to provide 4122sqm supermarket floorspace (use class A1), 516sqm retail floorspace (use classes A1/A2/A3/A4), 243sqm restaurant/cafe floorspace (use classes (A3/A4). Provision of surface parking for supermarket, multi-storey parking for station users, cycle parking facilities, retail service yard, new access off Clair Road with exit onto Perrymount Road, highways works and alterations at Market Place and Market Place/Commercial Square and refurbishment works to station buildings with associated landscaping. Permission.

13/00499/LDC- Installation of 3 deck car park over existing station surface car park. This is an application to establish whether the development is lawful: this will be a legal decision where the planning merits of the proposed use cannot be taken into account. Permission.

SITE AND SURROUNDINGS

The application site forms part of the public footpath on the western side of Perrymount Road, southwest of the Commercial Square roundabout, outside 6 Clair Road.

The application site lies within the built-up area boundary of Haywards Heath.

APPLICATION DETAILS

The application seeks advertisement consent for the installation of a BT Street Hub.

The proposed Street Hub would be located within the publicly maintained highway.

The proposed Street Hub would measure some 1.2 metres in width, some 0.3 metres in depth and would have a maximum height of some 2.9 metres. The proposed Street Hub will provide two digital 75" internally illuminated LCD advert screens. 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.

A full planning application is being considered under DM/25/2812.

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 Development Plan Document (DPD) and the Haywards Heath Neighbourhood Plan.

Mid Sussex District Plan

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

Relevant policies:

DP21 - Transport

DP26 - Character and Design

Neighbourhood Plan

Haywards Heath Neighbourhood Plan was made in 2016.

Relevant policies:

Policy E9 - Design

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 the majority of 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)

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.'

Paragraph 141 Of the NPPF 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'.

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:

o is of high quality design and layout and includes appropriate landscaping and greenspace;

o 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;
o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape
o protects open spaces, trees and gardens that contribute to the character of the area;
o protects valued townscapes and the separate identity and character of towns and villages;
o 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);
o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
o positively addresses sustainability considerations in the layout and the building design;
o 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;
o optimises the potential of the site to accommodate development.'

This part of Clair Road is predominantly commercial in nature, with a parade of commercial units with flats above located on the opposite side of the road, together with an office building (set back from the road) and Budgens store and Post Office. The proposed Street Hub would be sited on a relatively wide expanse of pavement to the north of an existing bus shelter that includes a two-way digital advertisement panel at its northern end (granted advertisement consent under planning reference DM/19/0113). The Street Hub unit would replicate the appearance of the digital advertisement panel on the bus shelter and would be a similar depth and width, although the unit would be significantly taller at 2.98 metres high, compared to the 2.26 metres of the advertisement panel. The unit is shown to be marginally taller than the bus shelter which measures approximately 2.7 metres high on plans submitted. The Street Hub is of a slim, modern design and is considered proportionate in scale to its surroundings. Whilst the unit would be sited closer to the road than the existing bus shelter, it is not considered that it would appear visually obtrusive or dominant as to detract from the appearance and character of the street scene.

The proposal is therefore considered to accord with policy DP26 of the District Plan and policy E9 of the Neighbourhood Plan.

Public safety

Having regard to the consideration of public safety set out at Regulation 3(2)(b) (as amended) and the generality of 'any other relevant factors'. The relevant issue in respect to this application is the safety of highway users.

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.

It is noted that concerns have been raised regarding proximity from the carriageway. WSCC Highways were consulted on the application and have advised that the proposed 500mm clearance is deemed acceptable as it complies with the standard practice horizontal clearance of 450mm from the kerb edge. Highways further advise that the proposed location is not anticipated to result in an obstruction to pedestrians utilising the footway, nor to result in an obstruction to vehicular visibility for vehicles travelling on Perrymount Road. They have not raised any highway safety concerns to the principle of the proposed BT Street Hub but have requested that the applicant reduce the luminance level within the hours of darkness to accord with the maximum luminance level for the location's environmental zone, as set out within The Institute of Lighting Engineers' Professional Lighting Guide 05/23 "The Brightness of Illuminated Advertisements including Digital Displays" (2023). This outlines that the maximum luminance level for an advertisement within the E3 environmental zone is 300cd/m². This can be secured by a suitably worded condition.

The applicant is willing to accept a condition that the two digital displays shall not exceed 300 cd/m² during nighttime hours, thereby ensuring that the development complies with The Institute of Lighting Engineers' Professional Lighting Guide 05/23 "The Brightness of Illuminated Advertisements including

Digital Displays" (2023). During the day, as background ambient lighting levels are generally considered higher, luminance levels will need to be increased; the proposal includes an integrated ambient light sensor that adapts the luminance of the display to the environmental lighting conditions. A condition can be imposed to ensure that light levels are managed in accordance with the details set out above.

Overall, it is considered that the proposal would not result in an adverse impact in relation to public safety. The proposal therefore accords with policy DP21 of the District Plan.

Other matters

During the course of the application the description of development was amended as the proposal does not include the removal of associated BT payphones.

Four representation letters have been received which raise several concerns which are set out at the beginning of this report. Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material. It is not considered that the matters that have been raised in the representation letters are considered relevant to this application.

CONCLUSION

The proposed Street Hub is considered to be appropriate in terms of the design and would not detract from the appearance of the surrounding area. There would also not be an adverse impact on highways safety as a result of the development.

The proposal is therefore considered to comply with policies DP21 and DP26 of the Mid Sussex District Plan, policy E9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide, the provisions of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the relevant contents of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin