

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2838	Case Officer:	Stefan Galyas
Application Type:	Advertisement Application		
Proposal:	Installation of two Illuminated Facade Signs on the Southern and Eastern Elevations.		
Site:	10 Victoria Way, Burgess Hill, West Sussex, RH15 9NF, , , ,		
Validation Date	11 Nov 2025	Overall Expiry Date:	5 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Dec 2025
Target Date:	6 Jan 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	17 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2838

**10 Victoria Way, Burgess Hill, West Sussex, RH15 9NF, , ,
Installation of two Illuminated Facade Signs on the Southern and Eastern Elevations.
Mr Steven Millier**

SUMMARY OF REPRESENTATIONS

There was one letter of representation received in response to the proposed development. It sought to object to the proposal for the following reasons:

- All of the facades should be updated with the new proposed materials.
- The new materials not being in keeping with the locality.

SUMMARY OF CONSULTEES

Mid Sussex District Council Corporate Estates: No response received.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: *'Recommend Approval subject to a suitable condition to protect residential amenity at night'*

INTRODUCTION

The application seeks advertisement consent for the installation of two illuminated signs to both the principal (southern) and side (eastern) elevations.

RELEVANT PLANNING HISTORY

01/02399/FUL - Permission to use ground floor and first floor of premises for display of kitchen and bathroom goods, without complying with condition 2 of planning consent BH/107/88. Permission 14.01.2001.

04/00640/FUL - Re-design front elevation. Withdrawn 02.03.2004.

DM/16/3971 - Retrospective change of use of premises from B1 (light industrial) to mixed use A1/A3 (retail/café). Permission 24.11.2016.

DM/24/2959 - Proposed change of use from commercial warehouse to proposed gym use on ground and first floor. Permission 04.04.2025.

DM/25/2527 - Part retrospective application to replace existing clad sheeting to facades and roof with new cladding. Pending consideration.

SITE AND SURROUNDINGS

The application relates to 10 Victoria Way, a detached two storey industrial sized building with a pitched roof. The existing building is positioned to the northern side of the road and is set back from the highway edge by a front parking area. There is an astroturfed area to the rear of the building which is enclosed by timber fencing to the sites boundaries. The existing building is composed of metal corrugated sheets and exposed brickwork to the exterior walls, a corrugated sheet pitched roof and uPVC windows and doors.

With regards to the sites locality, the building is positioned amongst other industrial sized buildings and therefore contributes to the prevailing industrial estate character of the area. There are some residential

dwellings set further to the north of the site, with garden amenity space immediately abutting the sites northern boundary.

With regard to policy constraints, the site is located within the built-up area for Burgess Hill.

APPLICATION DETAILS

The proposed development would install two illuminated signs at first floor level to both the principal (southern) and side (eastern) elevations. In terms of materials, the proposal would use a digitally printed backlit PVC banner. The proposed surface luminance would be 350-800 cd/m².

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 Allocation Development Plan 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

DP26: Character and Design

DP29: Noise, Air and Light Pollution

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.

Neighbourhood Plan

Relevant Policies:

None applicable.

Other Legislation

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

Other Material Considerations

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:

DPS1 - Climate Change
DPS2 - Sustainable Design and Construction
DPB1 - Character and Design
DPN8 - Light Impacts and Dark Skies

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 (NPPF) 2024 is a material consideration.
Paragraphs 2, 8, 11, 39, 48, 115-117, 131, 135 & 139.

West Sussex County Council Highways Illuminated Signs Standing Advice 2023

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Impact on the Amenity of the Area
- Public Safety

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 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 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.'

Fundamental to the determination of applications for advertisement consent is that they may only be controlled with regard to two material considerations, namely 'amenity' and 'public safety' (section 220 of the 1990 Act, Paragraph 141 of the National Planning Policy Framework and the 2007 Advertisement Regulations). There is no lawful category of 'other material considerations' in addition to the interests of

amenity and public safety that can be taken into consideration when determining applications for advertisement consent under the regulations.

Impact on the Amenity of the Area

Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. For the purposes of the Regulations, 'amenity' includes 'aural and visual amenity'.

The site is positioned within a business park location where a number of other industrial size buildings utilise signage displaying vendors names and branding to both the principal and side elevations. Although the other nearby examples of signage is not illuminated, it is not considered that the proposed signs would appear incongruous within the street scene.

With regard to the impact on neighbouring properties, the nearest dwellings are positioned to the north of the site and therefore would not be significantly affected by the illuminance. To the south, the nearest residential dwellings along Victoria Close are considered to be set at a substantial distance from the proposed signs and therefore are not considered to be adversely impacted.

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.

A Lighting Assessment Report has been submitted in support of the application which specifies that the signs would not exceed 350-800 candelas / m². The County Council's standing advice notes that Burgess Hill is set within an area of medium district brightness. It should be noted that areas up to 10m² should not exceed 300cd in these areas according to the West Sussex County Council Highways Standing Advice. Provided that the signs are set within a business park location and set away from any nearby residential properties, it is not considered to be necessary to restrict the signs hours of illumination.

It is therefore considered that the proposed advertisements would be acceptable from a public safety standpoint.

CONCLUSION

In light of the above assessment, and there being no further matters that are material to an application under the Regulations, it is recommended that consent be granted.

Decision: Permission

Case Officer: Stefan Galyas