

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1926	Case Officer:	Joanne Fisher
Application Type:	Full Application		
Proposal:	Introduction of new perimeter security fencing, security gatehouse and cantilever gate.		
Site:	3 Gothard Green Way, Goddards Green, Hassocks, West Sussex, BN6 9ZJ, , ,		
Validation Date	6 Aug 2026	Overall Expiry Date:	31 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	12 Oct 2026
Target Date:	1 Oct 2026	Recommending Officer Signature:	Joanne Fisher

Date Legal Agreement Completed: (if applicable)		No of Representations:	57
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Signed and Agreed By:	Steven King	Date:	12 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1926

**3 Gothard Green Way, Goddards Green, Hassocks, West Sussex, BN6 9ZJ, ,
Introduction of new perimeter security fencing, security gatehouse and cantilever gate.
Ifinity House Group**

SUMMARY OF REPRESENTATIONS

58 letters of OBJECTION received concerning the following:

- visual and landscape impact;
- transport and parking implications;
- potential noise and disturbance;
- biodiversity impacts;
- adequacy of information submitted;
- need to assess applications DM/26/1926 and DM/26/2085 together and their cumulative impacts;
- lack of information on operational requirements of development to establish why proposal is necessary;
- concerns on scale and character of security arrangements with fencing having a harsh and heavily secured appearance;
- visual impact form adjoining footpath and A2300;
- contrary to policy DP26 of the District Plan;
- impact on trees and biodiversity;
- additional security lighting and cameras;
- require a bat survey due to trees and hedgerows used for foraging and commuting bats;
- should establish whether the works associated result in a material change of use or intensification in the current use of the premises;
- protests and activity affecting access, traffic, noise, business operations of wider Panattoni Park;
- environmental effects should consider whether proposal requires EIA screening;
- concerns on end user not providing an inclusive area or community;
- proposal should be properly assessed against policies DP37 and DP38 of the District Plan;
- due to unusual nature of proposal and substantial public interest application should be referred to planning committee;
- query whether development and consequences conflict with objectives of District Plan of achieving sustainable, attractive and inclusive communities and promoting a place which remains attractive to a full range of businesses where local enterprises thrive.

SUMMARY OF CONSULTEES

None.

PARISH COUNCIL OBSERVATIONS

The committee recommends that MSDC grant permission.

INTRODUCTION

Planning permission is sought for new perimeter security fencing, a security gatehouse and a cantilever gate at 3 Gothard Green Way, Goddards Green.

RELEVANT PLANNING HISTORY

DM/19/2641 - Employment development comprising up to 40,695sqm (Class B1(b), B1(c), B2, and B8) with ancillary offices, car parking and associated infrastructure. Access to be determined. Approved.

DM/22/2676 - Application for approval of reserved matters on Plots 1-4 of landscape, appearance, layout and scale, to provide flexible employment units across use classes B1b, B1c, B2 and B8, with ancillary offices at The Hub, pursuant to permission DM/20/3614. Approved.

Following this various applications have been made to discharge planning conditions, and the buildings have been constructed. The building subject of this application is currently vacant and has not yet been occupied.

DM/26/2085 - Introduction of additional windows and access doors to existing building and introduction of additional car parking bays on existing areas of hardstanding to the west of the building. Pending consideration.

SITE AND SURROUNDINGS

Unit 3 is a modern commercial unit arranged over ground and part mezzanine floor. It is located on the northern boundary of the Panattoni Park Burgess Hill development that lies to the north-west of Burgess Hill. This is a recently constructed business park and some buildings are occupied.

To the north is the boundary of the site and beyond this a public footpath and the A2300 dual carriageway. To the east, west and south are further units within the Panattoni Park development.

The building is set back from the internal road serving the development with car parking between and landscaping. There is fencing between this site and the adjoining and on the opposite side of the road the neighbouring building (Roche - 6 Gothards Green Way) has a security building set forward by the entrance to that unit.

The unit is currently vacant.

The site falls within the built-up area boundary of Burgess Hill as defined in the District Plan, but falls within the Neighbourhood Plan area of Hurstpierpoint and Sayers Common.

APPLICATION DETAILS

Planning permission is sought for the introduction of new perimeter security fencing, a security gatehouse and a cantilever gate.

It is sought to replace the existing boundary fencing around the site with new higher fencing comprising of the following:

- the removal of existing fencing on the western and part northern boundaries;
- the introduction of 2.4-metre-high anti-climb security fencing with T-head extension and flat razor wire wrap to the northern boundary;
- the introduction of 2.4-metre-high anti-climb security fencing with vertical extension and flat razor wire wrap to the eastern, southern and western boundaries. This will include the introduction of fencing to the southern boundary. There will be pedestrian gates on the southern and eastern elements of this fencing;
- to the vehicular entrance into the parking area for the site a cantilever sliding gate with security anti-climb weld mesh infill.

In addition, a single storey security gatehouse is to be located adjacent to the vehicular entrance into the site. This would measure some 4.88 metres in length, 2.44 metres in width and some 2.99 metres in height. It would be constructed of an aluminium framework with grey wall panels and have a flat roof.

It has been submitted that the increased height and introduction of fencing to the southern boundary as well as the security gatehouse is required to improve the security of the site.

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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 Hurstpierpoint and Sayers Common 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:

DP1 - Sustainable Economic Development

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.

DP34 - Existing Employment Sites - Protection, Intensification and Redevelopment

Neighbourhood Plan

The Hurstpierpoint and Sayers Common Neighbourhood Plan was adopted on the 18th March 2025.

There are no relevant policies.

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 2026. The District

Plan remains at Examination until the Inspector has published his report, until that time 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:

DPN2 - Biodiversity Net Gain

DPB1 - Character and Design

DPE1 - Sustainable Economic Development

DPE2 - Existing Employment Sites

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) (August 2026)

The National Planning Policy Framework sets out the government's policies for plan-making and for making decisions on development proposals in England. It is a material consideration of critical importance in both contexts. The policies in this Framework are material considerations which must be taken into account in decision-making from the day of its publication.

Annex A of the NPPF states 'Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.'

ASSESSMENT

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

- Principle;
- Design and Impact on character of the area;
- Trees and Ecology;
- Ashdown Forest;
- Biodiversity Net Gain; and
- Other matters.

Principle

Policy DP1 of the District Plan relates to sustainable economic development. In part it seeks to make effective use of employment land through permitting appropriate intensification, and extension of employment use providing it is in accordance with other policies.

Policy SA34 of the Site Allocations Development Plan Document relates to existing employment sites under classes E(g), B2 and B8. It includes a section in respect of expansion which states in part:

'Outside the built-up area, expansion of Existing Employment Sites for E(g)/B2/B8 uses will only be supported where:

o Detailed layout and design are in keeping with its countryside location

o The expansion is contiguous with the boundary of an existing employment site

o Where the impacts of expansion are assessed in-combination with the existing site, and the overall impact of existing plus expansion is considered acceptable.'

However, these policies are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policies E2 and P5 of the NPPF.

Policy E2 of the NPPF relates to meeting the need for business land and premises. In part this states that to support business growth, substantial weight should be given to economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.

Policy P5 of the NPPF relates to maintaining public safety and security and states in part that development proposals should anticipate and address possible malicious threats and other hazards in relation to their occupiers and users, by identifying potential safety risks and proportionate mitigation opportunities.

The submitted planning statement sets out that the fencing and security gatehouse are required to improve security of the site.

It is considered that the proposal is compliant with relevant policies which supports the retention of employment sites and sustainable growth of all types of business through well-designed schemes. The site lies within an existing commercial site, and it is considered that the proposal is in keeping with the existing commercial use and the wider commercial site.

The proposal thereby complies with policy DP1 of the District Plan, policy SA34 of the SADPD, and the policies E2 and P5 of the NPPF.

Design and impact on character of the area

Policy DP26 of the MSDP relates to character and design. It requires proposals to be well designed and reflect the distinctive character of the area and contribute positively to and clearly define public and private realms. However, this policy is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the use of materials.

The Council's adopted Design Guide is a material consideration in the determination of the application. This document seeks to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable.

The fencing is to replace in part fencing on the northern and western boundaries with a higher fence and new fencing on the eastern and southern (front) boundaries as well as an entrance gate to the vehicular access. The fencing would match fencing already used both on the application site and the wider Panattoni Park site as it is now the standard type of secure fencing in use. Whilst it is accepted that the razor wire wrap above is not commonplace, it is considered that this would not appear out of keeping in this location or detract from the general character of the area. In addition, the proposed fence will protect existing open spaces, trees and landscaped areas within and adjoining the site that contribute to the character of the area.

Whilst the fencing would be visible from the footpath to the north it is considered that the additional height and razor wire wrap would not result in a heavily secured appearance resulting in a detrimental visual impact when viewed from the path and the A2300 beyond. The fencing would be seen in relation to the building and the wider business park.

In respect of the security building, whilst forward of the main building close to the entrance, this is a single storey structure and of a similar design to the security building opposite the site at Roche Diagnostics. As such it is considered that this would be in keeping with the character of the area.

Overall, the building and fencing is considered to be appropriate in character and appearance and is in-keeping with the existing commercial nature of the application site, and would maintain the character of the area.

The proposal thereby complies with policy DP26 of the District Plan and policy DP3 of the NPPF.

Trees and Ecology

Policy DP37 of the MSDP relates to trees, woodland and hedgerows. It seeks to protect and enhance trees, woodland and hedgerows and encourage new planting. Policy DP38 of the MSDP relates to biodiversity and seeks to protect and enhance biodiversity. Both these policies are considered to be materially inconsistent with the NPPF and therefore have very limited weight, greater weight should be given to Policy N6 of the NPPF.

Policy N6 of the NPPF relates to areas of particular importance for biodiversity and geodiversity. Within this there is a requirement that proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Plans show that the fencing would be on the boundaries of the site where there is in part some fencing already, which it is to replace. New fencing would be erected on the southern and eastern boundaries. On the eastern boundary there is no vegetation or trees which would be affected as this is already hardstanding forming an access path along the side of the building. Some vegetation on the southern front boundary would be affected through the position of the fencing and security building. However, there would be no removal of any tree whips as set out in the submitted Tree Statement which accompanied the application.

In respect of the security building, this is to be sited on an existing area of hardstanding next to the site entrance, with a small incursion into a planted area on the eastern side. However, as set out above, there would be no removal of any of the tree whips and the impact on the landscaping is considered to be small scale and acceptable.

Comments have been noted in respect of bat surveys. Due to the nature of the proposal, bat surveys are not required. Notwithstanding this, in respect of the new tree planting to the north, this is not mature enough to provide bat roosts, and the fencing is set away from the existing trees and hedges to the north of the site beyond the footpath. As such it is considered that the proposal would not result in an impact on commuting and foraging bats.

The proposal thereby complies with policies DP37 and DP38 of the District Plan and policy N6 of the NPPF.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

An overall Habitats Regulations Assessment has been undertaken for the planning application which includes the type of development proposed.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

It is considered that the proposed development will not lead to a significant increase in traffic across Ashdown Forest. There is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the types of development identified which includes this proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

Other matters

Concerns have been raised in respect of additional security lighting, cameras or associated equipment and the impact upon wildlife, landscape and users of the public footpath if these form part of such security arrangements. The proposal does not include security lighting and cameras and therefore cannot form part of the consideration of this application.

In terms of transport and parking implications, this application is not affecting the existing parking and access arrangements. In addition, the concerns raised in respect of noise and disturbance are noted. Whilst there may be noise and disturbance in the short-term whilst works are being carried out replacing and installing fencing and the gate as well as the security building, this would be expected in the construction process. However, there are no residential properties next to the application site and the nature of works would not result in an unacceptable level of noise. Once installed the fence, gates and security building is not considered to result in unacceptable levels of noise or disturbance.

Representations have been submitted in respect of the end user of the site and lack of clarity on this. No details have been provided regarding the end user. The agent has however confirmed that the operations of the building falls within the permitted use for the site as a B2 use (general industry) under the Use Classes Order. The specifics in relation to the type of the manufacturing process or the end occupier are not planning matters. Notwithstanding this, the proposed operations would be lawful in planning terms, but this application solely relates to fencing around the site and a security gatehouse which would be ancillary to the operations of the site.

Concerns have also been raised in respect of the adequacy of information provided. Officers consider that there is sufficient information provided to assess the application in relation to the proposed security fencing, security gatehouse and cantilever gate.

It has been submitted that this application and the application also submitted under DM/26/2085 should be assessed together and consider the cumulative impacts of the development, rather than in isolation. Application reference DM/26/2085 relates to the introduction of additional windows and access doors to existing building and introduction of additional car parking bays on existing areas of hardstanding to the west of the building. It is not considered necessary to consider these together as the works are not affecting the overall use of the building for commercial purposes. Each application stands to be considered on its own merits.

Submissions consider that the development and consequences conflict with objectives of District Plan of achieving sustainable, attractive and inclusive communities and promoting a place which remains attractive to a full range of businesses where local enterprises thrive. The application is in relation to security fencing and a security gatehouse for an existing commercial building on a recently constructed and part occupied business site for classes B1(b) (research and development), B1(c) (industrial processes), B2 (general industry) and B8 (storage and distribution). Such concerns are not considered to be related to the proposals subject of the application.

It has been submitted that the Council should consider whether the proposals require EIA screening. Due to the nature of the proposal this does not require to be screened under the EIA regulations, and the proposed security fencing, gate and security building would not have significant effects on the environment. Reference has been made to *R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council* and others. This was a case about whether the environmental impacts of burning oil after it has been extracted must be assessed when deciding a planning application for oil production. It was argued that the downstream emissions and effects should be considered. It is not considered that this case is relevant to the application. The proposed physical works contained within this application have no direct or indirect impact on the lawful use of the building itself or the downstream operations of any potential end user, who's use would fall within the permitted Use Class of the commercial unit, where the Use Class has previous been found acceptable in planning terms.

Representations refer to protests and activity affecting traffic, noise, business operations of the wider Panattoni Park. Whilst this is acknowledged, this is not a planning matter for consideration as part of this application and if necessary, would be matter for the prospective occupier of Unit 3, owner of the wider business park and the Police. Section 17 of the Crime and Disorder Act 1998 states that a local council has a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment. The courts have consistently held that planning regulation is not concerned to regulate protest or public order. The police have extensive powers to enforce against unlawful protest and to control appropriately lawful protest.

Finally, representations have requested that the application be referred to planning committee due to the unusual nature of the application and the substantial public interest. The representations received were submitted after the consultation period ended for the application. However, these representations have been accepted as the application had not been determined. Notwithstanding this, the Councils Constitution does not have a threshold on the number of representations requiring applications to be referred to committee. In addition, Officers consider that due to the nature of the proposal relating to security fencing, security gate and security gatehouse that this would not normally constitute the type of application being required to be heard at a Planning Committee, especially when it is on an existing

commercial site. The Council's Constitution allows for applications of this nature to be determined under Officer delegated powers.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

The proposal is acceptable both in terms of the principle and in terms of impact on the character and appearance of the area.

Therefore, the proposal complies with Mid Sussex District Plan policies DP1 and DP26, Policy SA34 of the SADPD and policies E2, D3 and P5 of the NPPF.

Decision: Permission

Case Officer: Joanne Fisher