

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 29 October 2024 12:53:08 UTC+00:00
To: "Anna Tidey" <anna.tidey@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Comments for Planning Application
DM/24/2505

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 29/10/2024 12:53 PM.

Application Summary

Address: 50 Hurst Road Hassocks West Sussex BN6 9NL

Proposal: Proposed tennis court to rear garden

Case Officer: Anna Tidey

[Click for further information](#)

Customer Details

Address: Crossways Belmont Lane Hassocks

Comments Details

Commenter Type: Neighbour or general public

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments: To:
Mid Sussex District Council
29th October 2024
Dear Sir/Madam
Re: Objection to Application Reference: DM/24/2505
I am a resident immediately adjacent to the development site

located at the rear of 50 Hurst Road Hassocks West Sussex BN6 9NL ('the Site') subject of planning application reference DM/24/2505 for the proposed tennis court to rear garden ('The Proposal').

I have listed separate reasons for objection to the Application under appropriate headings.

The main considerations for this objection letter are:

- Residential amenity
- Character and Design
- Trees
- Flood and drainage
- Development need

Residential amenity

Policy context

Policy DP29: Noise, Air and Light Pollution of the Adopted Mid Sussex District Plan 2014-2031 states that development should minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area.

Assessment

The proposal introduces random and unpredictable noise associated with tennis activities, including ball impacts, calls, and other sounds. Unlike consistent background noise, such erratic sounds can be especially disruptive, affecting the quiet enjoyment of nearby homes.

Given the narrow boundary spaces around the court, there is a high likelihood that tennis balls will frequently leave the court, leading to disturbance and potential damage. The netting proposed may be insufficient in height and positioning to effectively prevent this, adding stress and discomfort for adjacent property owners.

The limited size of the garden amplifies these issues, as the confined space is unsuitable for a tennis court of this scale. The close proximity to neighbouring homes worsens the overbearing impact and makes it difficult to contain noise, heightening the likelihood of intrusive noise levels affecting neighbours.

Situated just 15 metres from a kitchen window and large patio-spaces used frequently throughout the year-the proposed tennis court's noise, including ball impacts and conversations, would easily carry into these areas. This proximity would disrupt the tranquillity of indoor and outdoor spaces designed for rest, socialising, and daily living, where privacy and calm are expected. Additionally, the potential for stray balls and visual encroachment would heighten a sense of overbearing presence, limiting the ability of neighbouring residents to comfortably enjoy these areas without disturbance.

For the above reasons, the proposal would disrupt the peace and privacy of neighbouring residents, in direct conflict with Policy

DP29, which aims to minimise noise impacts on health and quality of life, and should be refused.

Character and design

Policy Context

Paragraph 135 of the NPPF 2023 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Development should:

- a) Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

Policy DP26: Character and Design states that proposed development, 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 creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

Assessment

The visible, hard surfacing and high perimeter fencing, together with the earthworks required, introduce an incongruous and intrusive element for surrounding properties which detracts from the overall open and landscaped character. Such a visually intrusive addition is unsuitable within a rural village context and diminishes the scenic value for residents and visitors alike.

For the above reasons, the proposal undermines the cohesive rural character of the area, in direct conflict with Policy DP26 and NPPF Paragraph 135, which require development to respect and enhance local character and visual harmony, and should be refused.

On the other hand, the application fails to confirm the proposed colour for the asphalt surface. If the application were to be approved, we suggest a condition requiring that the court surface be 100% green to ensure it blends with the surrounding landscape (as much as possible) and complements the colour of the

proposed fencing.

In addition, if the application were to be approved, however, we request a condition requiring that cherry laurels be uniformly planted around the whole perimeter of the court at a minimum height of 2.5 meters to provide immediate and effective solid screening.

Trees and Ecology

Policy Context

Policy DP37: Trees, Woodland and Hedgerows states that development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area will not normally be permitted.

Policy DP38: Biodiversity states that development proposals should protect existing biodiversity, so that there is no net loss of biodiversity takes place.

Assessment

The proposal fails to accurately account for the number of trees that would need to be removed. At least seven trees appear to be at risk of removal or severe disturbance to make way for the tennis court, yet they are not indicated on the plans. The removal of these trees would degrade the site's landscape character, reduce privacy for nearby homes, and negatively impact local biodiversity, especially for species dependent on these trees. The potential impact on local ecology and the environment is another significant concern. The gardens and surrounding land host a variety of wildlife, including many protected species such as bats, barn owls, badgers, several deer species, hedgehogs, grass snakes, and numerous bird species. Additionally, there are several nearby wildlife ponds, one located just 6 meters from the proposed court, which support a diverse range of amphibians, including the endangered great crested newt. The close proximity of the development to these sensitive habitats raises serious risks to the survival of these species and the ecological balance of the area.

For the above reasons, the proposal threatens the loss of mature trees and other features that contribute to local visual amenity and biodiversity, contrary to Policies DP37 and DP38 which seeks to protect these natural features, and should be refused.

Flood and drainage

Policy Context

Policy DP41: Flood Risk and Drainage states that proposals should ensure development is safe across its lifetime and not increase the risk of flooding elsewhere.

Assessment

The proposed asphalt surface lacks proper drainage provisions,

which is concerning given the site's existing water saturation and history of flooding. This impervious surface will likely increase surface runoff, aggravating the already poor drainage conditions and heightening the risk of flooding on neighbouring properties. Furthermore, the proposal could lead to structural issues, such as cracks arising from stormwater migrating back under the tennis court affecting the surrounding area.

Flooding in this area is common, with adjacent properties managing this issue through measures like a wildlife pond that alleviates ground saturation. The tennis court's proposed location close to this pond could disrupt existing water management strategies and jeopardise ecological systems nearby.

The proposal lacks adequate drainage solutions, risking exacerbated flood impacts on surrounding properties, in violation of Policy DP41, which mandates responsible surface water management, and should be refused.

Development need

There is minimal justification for a private tennis court given the abundance of accessible public courts nearby. Within a 1-mile radius, there are 17 pay-as-you-play courts, and within a 7-mile radius, there are an additional 25 courts, many of which are floodlit or indoor facilities. The availability of these alternatives negates any substantial need for a new tennis court that will compromise local character and amenity.

In assessing this application, the planning balance weighs heavily against approval. While the applicant may argue that the private tennis court adds personal amenity value, this benefit is vastly outweighed by the detrimental impacts on neighbouring properties and the local environment. The proposal introduces excessive noise, visual intrusion, and ecological disruption, particularly impacting protected species and established trees that contribute to local biodiversity.

Furthermore, the absence of adequate drainage measures risks exacerbating already frequent flooding in the area, leading to potential property damage. Given the availability of numerous nearby public courts, the need for a private court here does not justify the substantial and irreversible impact on residential amenity, local character, and environmental aspects.

Therefore, in the planning balance, these negative impacts clearly outweigh any limited personal benefit, supporting a strong case for refusal in line with local and national planning policies.

Conclusion

The proposed development would result in a loss of residential amenity, a negative visual impact, the removal of valuable trees and impact upon biodiversity, huge drainage issues, and an unsupportable departure from the local character. These cumulative effects contravene Local Plan policies DP26, DP29, DP37, DP38, DP41, and NPPF Paragraph 135.

For these reasons, I respectfully request that Mid Sussex District Council refuse planning permission for application DM/24/2505.

Yours sincerely

Graeme Collins

Kind regards