

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0661	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Installation of a new double bay cricket practice facility. Installation is a non-turf pitch enclosed with netted frame.		
Site:	Turners Hill Cricket Club, Turners Hill Road, Turners Hill, West Sussex, RH10 4PE, , ,		
Validation Date	17 Mar 2026	Overall Expiry Date:	11 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	15 Jun 2026
Target Date:	12 May 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	15 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0661

**Turners Hill Cricket Club, Turners Hill Road, Turners Hill, West Sussex, RH10 4PE, ,
Installation of a new double bay cricket practice facility. Installation is a non-turf pitch enclosed
with netted frame.**

Mr Michael Litchfield

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Environmental Protection: The new facility is not close to residential premises and will only be used at limited times. On this basis EP has no objection.

Place Services Ecology: No ecological objection subject to BNG condition.

PARISH COUNCIL OBSERVATIONS

Turners Hill Parish Council commented that it supports the proposed planning application and considers it to be a beneficial facility for the parish.

INTRODUCTION

Planning permission is sought for the installation of a new double bay cricket practice facility with a non-turf pitch enclosed with netted frame.

RELEVANT PLANNING HISTORY

TH/030/92 - Change of use of land as cricket pitch, together with erection of sports pavilion and storage building, car park and improved access. (approved)

TH/041/93 - Use of land as cricket pitch together with erection of sports pavilion and storage building, car park and improved access (amendment to permission TH/030/92). (approved)

SITE AND SURROUNDINGS

The site is a cricket field with existing nets on the eastern side of field close to a pavilion building.

To the north of the site is the access track and woodland with highway beyond, to the south and east of the site is hedging to fields beyond and to the west is woodland.

The site is situated outside of the built-up area of Turners Hill and within the High Weald National Landscape.

APPLICATION DETAILS

The proposed cricket nets and cricket practice facility measures 30m in maximum depth, 7.3m in maximum width, with the nets being 4m in height.

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.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

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 Turners 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:

DP12- Protection and Enhancement of Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP24 - Leisure and Cultural Facilities and Activities
DP26 - Character and design
DP38: Biodiversity

Turners Hill Neighbourhood Plan (made March 2016)

Relevant policies:

THP8 - Countryside Protection
THP11 - Recreational Spaces

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies.

None.

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 hearings were concluded on the 19th March 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.

DPN2 - Biodiversity Net Gain

DPC1 - Protection and Enhancement of the Countryside

DPC4 - High Weald Area of Outstanding Natural Beauty

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.

THE HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2024-2029

National Planning Policy Framework (NPPF) (December 2024)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

Paragraph 39 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

ASSESSMENT

Principle of Development

Policy DP12 of the Mid Sussex District Plan in part states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- it is necessary for the purposes of agriculture; or*
- it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Policy THP8 of the Turners Hill Neighbourhood Plan states:

'Outside the Built up Area Boundary , priority will be given to protecting and enhancing the countryside from inappropriate development. A proposal for development will only be permitted where:

- a) It is allocated for development in Policy THP1 or would be in accordance with Policies THP7 and THP14 of this Plan or other relevant planning policies applying to the area; and:*
- b) It must not have a detrimental impact on, and would enhance, areas of substantial landscape value or sensitivity, and*
- c) It must not have an adverse impact on the landscape setting of Turners Hill and*
- d) It must maintain the distinctive views of the surrounding countryside from public vantage points within, and adjacent to, the built up area; and*
- e) Within the High Weald Area of Outstanding Natural Beauty it must conserve and enhance the natural beauty and would have regard to the High Weald AONB Management Plan.*
- f) It is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available'.*

Given the leisure use aspect of the proposal, Policy DP24 of the Mid Sussex District Plan is relevant and states (in part):

'Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported.'

Policy THP11 of the Turners Hill Neighbourhood Plan states:

' Within the countryside proposals for sporting and recreation facilities will be permitted providing they:

- a) do not have an adverse effect on the amenities of local residents and do not create an unacceptable level of noise;*
- b) do not result in irreversible loss of the best and most versatile agricultural land;*
- c) are not on a prominent or exposed site which is conspicuous from roads, public rights of way or view points;*
- d) do not result in an increased level of traffic that is unacceptable on the local road network or would prejudice highway safety'.*

NPPF paragraph 98 states that;

'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a. plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b. take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c. guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- d. ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*

e. ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'

NPPF paragraph 103 states that;

'Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.'

The proposal would not be for the purpose of agriculture; however, the cricket nets would provide additional facilities for the cricket ground. It is therefore considered that the proposal would support the existing leisure use of the land and enhance it by the improvement of the existing facilities

Having regard to the above, the principle of the proposed development is acceptable and in accordance with planning policy DP24 of the Mid Sussex District Plan, policy THP11 of the Turners Hill Neighbourhood Plan and paragraphs 98 and 103 of the NPPF.

Character and Design

Policy DP26 of the 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:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- 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;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- 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'*

The proposed works to the cricket nets area considered to be of a design, size and scale which is in proportion and appropriate to the character of the site. The proposed work would be visible from public views from the public right of way which runs along the western side of the cricket ground, however due to the enclosed nature of the recreation ground it would prevent views from the public highways. The proposed cricket nets would be seen in association to the existing adjacent cricket pitch and associated structures and paraphernalia and is considered to be in keeping with the existing character of the locality. The nets with their open form and low profile of the would be appropriate to the rural character of the locality. It is therefore considered that the proposal would not have an adverse impact on the character of the site or the locality.

Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Impact on the High Weald

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires

Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'. The Levelling-up and Regeneration Act (2023) amended section 85 of the CROW Act, to create a new duty on relevant authorities to 'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs'. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

Policy DP16 of the Mid Sussex District Plan relates to the AONB and states that:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular:

*o the identified landscape features or components of natural beauty and to their setting;
o the traditional interaction of people with nature, and appropriate land management;
o character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and
o the conservation of wildlife and cultural heritage'.*

As the existing cricket ground is within the High Weald National Landscape and the proposal is to enhance the existing cricketing facilities and is a modest design it is deemed to conserve the natural beauty of the High Weald National Landscape and to comply with policy DP16 of the Mid Sussex District Plan and paragraph 189 of the NPPF.

Impact on neighbouring amenities

In terms of impact upon neighbouring amenities Policy DP26 in part seeks to ensure that development:

'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 DP29);'

Policy DP29 of the Mid Sussex District Plan states:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- *an assessment of the impact of noise generated by a proposed development; or*
- *an assessment of the effect of noise by an existing noise source upon a proposed development;*

Light pollution:

- *The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;*
- *The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;*

Air Pollution:

- *It does not cause unacceptable levels of air pollution;*
- *Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;*
- *Development proposals (where appropriate) are consistent with Air Quality Management Plans.*

The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.'

The proposed cricket nets would be located adjacent to the south-west corner of the cricket pitch and would be over 200m metres from the closest neighbouring dwellings. It is noted that use of the cricket nets may be heard from the neighbouring properties, however, given the separation distance the existing recreational use and adjacent cricket pitch it is considered that it would not have a greater impact on the amenities of these neighbours than the existing use and would not cause significant harm.

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 is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13(2). It states:

'The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and*
- (b) the planning authority has approved the plan (see paragraph 15).'*

In addition, the Council's Ecological consultant has considered the proposal in terms of the Biodiversity Net Gain Report and Statutory Biodiversity Metric and raises no objection to the scheme. Subject to compliance with suitably worded conditions, it is considered that the proposal would comply with Policy DP38 of the Mid Sussex District Plan, Chapter 15 of the NPPF (including paragraph 193) and the legislation outlined above.

PLANNING BALANCE AND CONCLUSION

The proposal is acceptable in terms of the principle of development in the countryside under policy DP12. Policies DP24 of the Mid Sussex District Plan and THP8 and THP11 of the Neighbourhood Plan support enhanced leisure facilities at this site. The design and impact of the facilities on the character of the area would be acceptable, would not cause harm to the amenities of neighbouring properties, and would conserve the natural beauty of the High Weald National Landscape. It would also be subject to Biodiversity Net Gain sought by condition. Therefore, the proposal complies with Mid Sussex District

Plan policies DP12, DP16, DP24, DP26, and DP38 Turners Hill Neighbourhood Plan policies THP8 and THP11, and the relevant provisions of the NPPF.

The proposal is hereby recommended for approval.

Decision: Permission

Case Officer: Andrew Horrell