

MID SUSSEX
DISTRICT COUNCIL

20th February 2025

Site:	Playground Hollands Way East Grinstead West Sussex
Proposal:	Proposed resurfacing of existing pathways, provision of new path and installation of ramp to existing pathway, and provision of dropped kerbs at Hollands Way, East Grinstead, RH19 3EN.
Applicant:	Clarion Housing Group
Category:	Minor Other
Target Date:	17th February 2025
Parish:	East Grinstead
Ward Members:	Cllr Margaret Belsey / Cllr Adam Peacock /

Case Officer:	Andrew Horrell
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Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SNKFS8KT04L00>

1.0 Purpose of Report

- 1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

2.0 Executive Summary

- 2.1 This application seeks planning permission for the resurfacing the existing pathways, a provision of a new path, installation of a ramp and the provision of dropped kerbs at the Hollands Way Playground.
- 2.2 The application has been referred to Committee because the playground and the adjacent community building is on land owned by the District Council.
- 2.3 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise
- 2.4 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.
- 2.5 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, the Site Allocations Development Plan Document (DPD) and the East Grinstead Neighbourhood Plan.
- 2.6 National policy (which is contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.
- 2.7 The principle for improved accessibility to leisure and cultural activities and facilities, is acceptable.
- 2.8 The proposed would are considered to be appropriate in terms of the design and would not have an adverse impact on the character and appearance of the area.
- 2.9 The proposed development is therefore deemed to comply with policies DP24 and DP26 of the Mid Sussex District Plan and EG3 and EG15 of the East Grinstead Neighbourhood Plan, and the NPPF.
- 2.10 The application is therefore recommended for approval.

3.0 Recommendation

- 3.1 It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

4.0 Summary of Representations

- 4.1 None received

5.0 Summary of Consultees

- 5.1 None received

6.0 East Grinstead Town Council Observations

- 6.1 None received

7.0 Introduction

- 7.1 The application seeks planning permission for the resurfacing the existing pathways, a provision of a new path, installation of a ramp and the provision of dropped kerbs at the Hollands Way Playground.

8.0 Relevant Planning History

- 8.1 The application seeks planning permission for the resurfacing the existing pathways, a provision of a new path, installation of a ramp and the provision of dropped kerbs at the Hollands Way Playground.

9.0 Site and Surroundings

- 9.1 The application site is a Children's playground between Hollands Way and Spring Way. The playground is surrounded by railings with footpaths to the highway beyond. The playground is accessed by steps to the north-west and swing gates to the south of the site. To the south-east of the playground is a pitched roofed community café accessed by existing metal ramp.
- 9.2 The site is within the built-up area of East Grinstead
- 9.3 The playground falls within the ownership of Mid Sussex District Council. This does not include the surrounding footpaths which are owned by West Sussex County Council.

10.0 Application Details

- 10.1 To the north-east of the site a new paving path and ramp from the footpath to the existing path to the café measures 3m in maximum depth and 8.4m in maximum width.
- 10.2 To the south-west of the site a dropped kerb to provide greater wheelchair access to the site from the footpath and then to the adjacent greenspace. The kerbs will be 1.2m in width.
- 10.3 To the south-east of the site a new ramp is proposed to serve the community café which measures 3.6m in depth, 1.2m in width with an approximate height of 1m.

11.0 Legal Framework and List of Policies

- 11.1 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Document and the East Grinstead Neighbourhood Plan.
- 11.2 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.
- 11.3 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

11.4 **Mid Sussex District Plan (adopted March 2018)**

Relevant Policies:

DP24 – Leisure and Cultural Facilities and Activities
DP26 - Character and Design

11.5 **Mid Sussex District Plan 2021-2039 Consultation 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 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
DPI15 – Open Space, Sport and Recreational Facilities

11.6 **East Grinstead Neighbourhood Plan**

The Neighbourhood Plan was made in November 2016. It forms part of the development plan.

Relevant policies:

EG3 – Promoting Good Design
EG15 – Sport, Recreation and Community Use Provision Policy

11.7 **National Policy**

The National Planning Policy Framework (NPPF December 2024)

Planning Practice Guidance

12.0 **Assessment**

12.1 The main issues for consideration are:

- Principle
- Design and Character

Principle

12.2 Policy DP24 in the District Plan states that:

'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.'

The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.

Sites for appropriate leisure and cultural facilities to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.'

12.3 EG15 of the East Grinstead Neighbourhood Plan has a similar ethos.

12.4 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.'*

12.5 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.'

- 12.6 The proposed network of footpaths will improve accessibility across the site.
- 12.7 The principle of the proposed development under this application is therefore acceptable and in accordance with planning policy.

Design and Character

- 12.8 Policy DP26 of the Mid Sussex District Plan states:
- 12.9 *'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;*
 - protects valued townscapes and the separate identity and character of towns and villages;*
 - 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);*
 - creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
 - incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
 - positively addresses sustainability considerations in the layout and the building design;*
 - 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;*
 - optimises the potential of the site to accommodate development'.*
- 12.10 EG3 of the East Grinstead Neighbourhood Plan has a similar ethos and states:
- 'Planning permission will normally be granted where development proposals meet the following criteria:*
- a) The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
 - b) The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*

- c) The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- d) The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- e) The design of new buildings and the layout of spaces, including footways, car and cycle parking areas, should be permeable and provide connectivity with neighbouring areas;*
- f) New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- g) The design of new developments must result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour; and*
- h) Proposals make provision for green infrastructure and biodiversity enhancement.*

Due to infrastructure constraints within the town, all new development proposals, which generate a net increase in traffic (excluding householder applications), will be required to contribute towards improving the walking and cycle network related to the development and be of a recognised acceptable standard'.

12.11 Paragraph 135 states, in part that,

'Planning policies and decisions should ensure that developments;

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'

12.12 The proposed development addresses accessibility so that all users can readily enjoy the facilities no matter what their needs or capabilities are.

12.13 It should be noted that the installation of dropped kerbs to access the footpaths does not require planning permission as Hollands Way is not a classified road, but it would require approval from West Sussex County Council as they own the footpaths. This will be added as an informative.

12.14 The proposed new paving and new ramp is not out of character with the existing ramp serving the community café or the existing footpaths surrounding the playground allowing access.

12.15 It is considered that the proposed development is acceptable and will not have an adverse impact on the character and appearance of the area. Therefore the proposal accords with the relevant policy criteria outlined above and within policies DP26 of the Mid Sussex District Plan, EG3 of the EGNP and national policy contained within the NPPF.

13.0 Planning Balance and Conclusion

13.1 The principle for improved accessibility to leisure and cultural activities and facilities, is acceptable and in accordance with policy DP24 of the MSDP, policy EG15 of the EGNP and the NPPF paragraphs 98 and 103.

13.2 The design of the new ramp and footpath are not deemed out of character with the area and therefore the proposal complies with policy DP26 of the Mid Sussex

District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and the relevant paragraph of the NPPF in terms of character and design.

- 13.3 The dropped kerb element is deemed acceptable given it does not require planning permission from Mid Sussex District Council because Hollands Way is not a classified Road. However, approval should be sought from West Sussex County Council to gain approval for and to undertake the works as they own the footpaths.
- 13.4 In conclusion, and subject to the recommendation of planning conditions, the proposed development is considered to be acceptable, and it is recommended that permission be granted.

APPENDIX A – RECOMMENDED CONDITIONS

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".
Reason: For the avoidance of doubt and in the interest of proper planning.
3. No external materials shall be used other than those specified on the approved plans and application details.
Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan and EG3 of the East Grinstead Neighbourhood Plan.

Biodiversity Net Gain

Informatives

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:

- o Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 -1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
 - o Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development. No burning of materials shall take place on site at any time.
- If you require any further information on these issues, please contact Environmental protection on 01444 477292.
3. To construct the dropped crossing (kerbs), approval for accessibility improvements to the footpaths should be sought and gained from West Sussex County Council. If you require any further information on these issues, please contact West Sussex Highways on 1243 642105.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	P2200 000		03.12.2024
Site Plan	P2200-001		26.11.2024
Proposed Floor and Elevations Plan	P2200-002		26.11.2024

APPENDIX B – CONSULTATIONS

East Grinstead Town Council

No comments received