

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1185	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Retrospective Golf Swing Studio for golf training and analysis which includes golf simulator equipment.		
Site:	Sports Field, East Grinstead Sports Club, Saint Hill Road, East Grinstead, West Sussex, , ,		
Validation Date	12 May 2026	Overall Expiry Date:	4 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	26 Jun 2026
Target Date:	7 Jul 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	29 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1185

**Sports Field, East Grinstead Sports Club, Saint Hill Road, East Grinstead, West Sussex, ,
Retrospective Golf Swing Studio for golf training and analysis which includes golf simulator
equipment.**

Mr Michael Hough

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Ecological Consultant: No objection.

TOWN COUNCIL OBSERVATIONS

Town Council No comment.

INTRODUCTION

The application seeks retrospective planning permission for a golf swing studio.

RELEVANT PLANNING HISTORY

11/02882/FUL: Proposed squash courts, sports hall seating and club extension with phased development. Revision to 08/03069/FUL. Permission.

12/02944/COND: Variation of condition 10 of permission 11/02882/FUL to allow the Travel Plan to be submitted at a later phase of the development. Permission.

14/02976/FUL: Amendments to existing entrance including addition of drop off area. Addition of parking area consisting of 72 spaces. Withdrawn.

DM/15/1773: Revisions to the parking and access of the sports club. Permission.

TP/15/0007: Land At High Wood And The Plantation, Saint Hill Road, East Grinstead, West Sussex. Permission.

DM/16/1571: Discharge of planning condition no. 3 relating to planning application DM/15/1773. Permission.

DM/19/4434: Variation of condition 18 relating to planning reference GR/326/98 to replace Appendix 5 with new Appendix 5A setting out a revised floodlighting scheme incorporating LED lighting. Permission.

DM/20/0692: 13 x Ash Trees on the Plantation - Fell. 10 x Ash Trees on the High Wood - Fell. Permission.

DM/20/1647: Change of use from agricultural to a sports field with the erection of a yurt. Permission.

DM/21/0037: Repositioning and raising of existing scorebox building. Erection of adjoining storage and administration building. Permission.

DM/24/0019: Construction of 4-Padel Tennis Courts, to replace 2-Existing Netball Courts (Amended plans received 02/04/2024, Supporting Statement received 13/03/2024). Permission.

DM/25/0934: Proposed Additional 37 Vehicle Parking Spaces adjacent to existing main car-park. Withdrawn.

DM/26/0669 - Formation of Essential Additional Vehicle Parking at Multi-discipline Sports Facility. Refused 10.06.26.

SITE AND SURROUNDINGS

East Grinstead Sports Club is located to the western side of Saint Hill Road, the site contains the main two storey building, with the cricket pitch and 3G Sports pitch to the south, to the north is the Hockey pitch, with the netball courts to the west and football pitches to the north west of the netball courts.

The site slopes down from south-east to north-west and to the south and south-west is established tree screening which is subject to a Tree Preservation Order (TPO) (TP/15/0007) which is an area order covering the whole woodland.

Parking is available to both the north and to the south-west of the main building, on an existing area of hardstanding. The application site is designated within the Mid Sussex District Plan as being within the Countryside, it is also within the High Weald National Landscape, formally known as the High Weald Area of Outstanding natural Beauty (AONB).

APPLICATION DETAILS

The application seeks retrospective planning permission for a golf swing studio. The studio measures at circa 6.8m in length, 4.7m wide and 3.5m high. The building is composed of composite simulated wood cladding, a concealed singly ply waterproof membrane roof, powder coated aluminium finished dark grey doors and a covered roller shutter over the door when not in use.

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) And 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 the East Grinstead 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

DP25: Community Facilities and Local Services

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.

No relevant policies.

Neighbourhood Plan

The East Grinstead Neighbourhood Plan (made November 2016)

Relevant policies:

Policy EG1: Protection of the High Weald AONB

Policy EG2: Areas of Development Constraint

Policy EG3: Promoting Good Design

Policy EG15: Sport, Recreation and Community Use Provision

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.

Relevant policies:

DPS1 - Climate Change

DPS2: Sustainable Design and Construction

DPS6: Health and Wellbeing

DPN7: Noise Impacts

DPB1: Character and Design

DPC1: Protection and Enhancement of the Countryside

DPC4: High Weald Area of Outstanding Natural Beauty

DPI5: Open Space, Sports and Recreational Facilities
DPI6: Community and Cultural Facilities and Local Services
DPT3: Active and Sustainable Travel
DPE8: Sustainable Rural Development and the Rural Economy

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, 12, 39, 48, 88, 89, 115-117, 131, 134, 135, 139 & 187

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.

National Planning Policy Guidance

Sport England Planning for Sport Guidance June 2019, Updated April 2024

High Weald AONB Management Plan 2024-2029

Planning Technical Advice Note: Dark Skies in the High Weald

ASSESSMENT

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

- Principle
- Impact on Character and Design
- Impact on the High Weald AONB
- Impact on Neighbouring Amenities
- Other Matters
- Biodiversity Net Gain

Principle

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

'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 DP24 of the Mid Sussex District Plan 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 DP25 in the Mid Sussex District Plan states:

'The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- that the use is no longer viable; or*
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or*
- that a replacement facility will be provided in the locality.*

The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document. Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.'

While at local level, Policy EG2 allows small scale new development within the countryside areas of development constraint provided:

'The proposal comprises essential small-scale proposals for agricultural or sport and recreation such as pavilions and changing rooms;'

Sport England's Planning for Sport Guidance notes that decisions should:

'Support the development of appropriate facilities in designated landscapes and the Green Belt which directly support participation in, and help to secure the long-term viability and sustainability of, outdoor sport and physical activities (so long as they preserve the openness of the Green Belt). This could include changing provision, lighting of outdoor sports facilities, car parking, social and catering facilities, fencing and sports domes (for example covering outdoor tennis courts).'

The East Grinstead Sports Club is a community facility that provides important leisure uses and opportunities. It is considered that as a matter of principle, policies DP24 and DP25 do provide support for this application as the addition of a golf swing studio would be considered as improved or enhanced leisure and community facilities, in addition they are viewed as the 'specific policy reference' that is referred to in policy DP12. Furthermore, the proposal would meet the criteria of Policy EG2 and EG15 of the Neighbourhood Plan, therefore, the proposal is considered acceptable in principle.

Impact on Character and Design

As the application site lies within the countryside, planning policies state that there is an overriding need to ensure that the intrinsic character and beauty of the countryside is recognised, and that development should contribute to protecting and enhancing the natural, built and historic environment. The aim of protecting the character of an area is found in the NPPF at para 187 where it states that planning policies and decisions should recognise *'the intrinsic character and beauty of the countryside, and the*

wider benefits from natural capital and ecosystem services - including the economic and other benefits'. This stance is reflected under policy DP12 of the District Plan which states that 'development will be permitted in the countryside, provided it maintains or where possible enhances the quality of the rural and landscape character of the District.'

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:

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

Policy EG3 of the Neighbourhood Plan states (in part):

'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.'*

The golf studio is considered to be of a limited size and scale and is wholly contained to single storey level. The buildings overall perceived bulk is further minimised by the use of wood cladding to its exterior walls. The building is viewed within the context of the existing established parcel associated with East Grinstead Sports Club and it is not considered that this would be out of character within the locality.

The proposal is therefore considered to comply with the provisions of policies DP12 and DP26 of the District Plan and policy EG3 of the Neighbourhood Plan.

Impact on the High Weald AONB

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.

Policy DP16 of the Mid Sussex District Plan states:

'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:

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

Small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported. Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design.'

Policy EG1 of the Neighbourhood Plan states (in part):

'Planning permission for other forms of development will be granted where the proposals are for the:

(i) Conversion of redundant buildings;

(ii) Replacement, on a like for like basis, of existing buildings; or

(iii) Extension of an existing dwelling house, relate to agricultural development or some other minor recreational use;

Provided that for each of the above (i, ii and iii) all of the following criteria are met:

The highest standards of Design are achieved; The natural and scenic beauty of the landscape is conserved or enhanced; The proposals do not result in an obtrusive feature in the landscape.

The onus is on the applicant to demonstrate that the scheme would not negatively impact on the existing quality of the protected landscape and its setting taking account of locally important features. Proposals that have not fully considered and addressed the impact on the AONB will normally be refused.'

Paragraph 189 of the NPPF states that:

'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 and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

Owing to the buildings siting within the context of the wider sports complex, with netball courts and football pitches to the north/ north west, established tree screening to the west/south west, netball and hockey pitches to the east and the car park, main sports building and 3G pitch and cricket pitch to the south east, the proposal would be viewed in context of the existing recreational usage. It would not be isolated in the landscape and hence would not harm the natural beauty of the AONB.

The application would therefore accord with Policies DP16 and DP26 of the Mid Sussex District Plan, Policies EG1 and EG3 of the Neighbourhood Plan, the Council's adopted Design Guide SPD and paragraph 189 of the NPPF.

Impact on Neighbouring Amenities

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate 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 EG3 of the East Grinstead Neighbourhood Plan states: *'does not harm adjoining amenity'.*

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 approved or published. As such, policy DP26 is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

Furthermore, DP29 of the Mid Sussex District Plan sets out the following relation to noise:

'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.'

While in relation to light pollution DP29 in part states:

*'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;'*

The proposal would be sited at a significant distance from the closest residential dwelling to the southwest. The golf swing simulator would be used between the hours of 08:00 to 21:30 Monday to Saturday and 09:00 to 21:30 on Sundays and bank holidays. These hours of operation are not considered to be unreasonable for a building/ use of this nature.

In light of the above, it is considered that the proposal would not result in an acceptable impact in terms of neighbouring amenities. Therefore the proposal would comply with Policies DP26 and DP29 of the District Plan and policy EG3 of the Neighbourhood Plan in respect of the impact on neighbouring amenity.

Other Matters

The Council's Ecology Consultant has provided their response to the proposed development and raised no objection subject to a number of conditions. The suggested conditions relate to any relevant works above slab level and prior to the beneficial use of the building. As the scheme is fully retrospective and does not propose any lighting, it is not considered relevant nor necessary to append these suggested conditions to any permission that may be granted.

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 retrospective meaning that this development is exempt from providing biodiversity net gain.

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 East Grinstead 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.

In conclusion, the proposal is considered to be acceptable in principle, the golf swing simulator is considered to be appropriate in terms of design, size and scale to the character of the existing recreational use of the site and to the character of the wider countryside, it would not have a harmful impact on the AONB and would not cause unacceptable harm to the amenities of neighbouring properties. Therefore the proposal complies with Mid Sussex District Plan policies DP12, DP16, DP24, DP25, DP26 and DP29, Policies, EG1, EG2, EG3 and EG15 of the East Grinstead Neighbourhood Plan, The Mid Sussex Design Guide SPD, the High Weald Management Plan and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas

