

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0263	Case Officer:	Susan Dubberley
Application Type:	Full Application		
Proposal:	The upgrade of existing Redgra surfaced sports facilities with associated artificial turf, mesh fencing, LED lighting, acoustic barrier, areas of hard standing and resurfaced long/triple jump pits		
Site:	Sackville School, Lewes Road, East Grinstead, West Sussex, RH19 3TY, , ,		
Validation Date	5 Feb 2025	Overall Expiry Date:	21 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	20 May 2025
Target Date:	2 Apr 2025	Recommending Officer Signature:	<i>Susan Dubberley</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	24
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	22 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0263

**Sackville School, Lewes Road, East Grinstead, West Sussex, RH19 3TY, ,
The upgrade of existing Redgra surfaced sports facilities with associated artificial turf, mesh
fencing, LED lighting, acoustic barrier, areas of hard standing and resurfaced long/triple jump
pits
Nicola Clapson**

SUMMARY OF REPRESENTATIONS

22 letters of support received:

- o This will be a game changer for the local area and for the students of Sackville. The number of potential benefits for the local community are huge and would really help a number of stakeholders.
- o My two children were both members of East Grinstead Athletic club for many years, if only this type of provision was available then.
- o As Chairman of Forest Row Junior Football club I would love the possibility of another artificial pitch nearby. We would be very interested in securing training slots in the evening for age groups U8 to U18.
- o In the modern world of technology it feels more important than ever to encourage our children to be active. This would provide a some much needed infrastructure
- o A much needed upgrade to not only the school but to the wider community.
- o Will be a great addition and enhancement to the sports facilities in the town as a whole.
- o Making sports more accessible to all.
- o Fantastic opportunity for Sackville School to upgrade their facilities, allowing students, young people and the local community to have access to a variety of activities all year round.
- o To offer a diverse range of sports available to the young people of East Grinstead is essential if more are to realise the benefits of being a part of a team and club.
- o The need for hockey pitches is huge to continue to allow the sport to develop. A pitch like this could really encourage participation among state school children (one of England Hockey's key aims), and in turn provide additional opportunities to those already provided by East Grinstead Hockey Club.
- o A new, high-quality pitch would not only enhance the sporting experience but also motivate students and support those aspiring to play at a higher level.
- o I have been a coach at East Grinstead Hockey Club for many years. Most of the children who join the club come from Private Schools. This is due mainly to the lack of facilities available at State schools. I believe that hockey is a more inclusive team sport than football or Rugby mainly because size is largely irrelevant. You are far less likely to suffer from injuries and we find that children are more likely to continue playing into adulthood
- o East Grinstead has long been known for its love of hockey, with the local club at Saint Hill being one of the most successful in the UK. Sackville has always played a vital role in feeding players into the sport and keeping teenagers engaged in both sport and their community. In recent years, however, many of the club's members have come from private schools, and I'd love to see that balance shift back to include more state school students. Hockey is an inclusive sport, and it brings enormous benefits to young people, both on and off the pitch.
- o It would also be a great resource for the community and give children a safe place to be.

SUMMARY OF CONSULTEES

Drainage Engineer

No objection subject to conditions

Ecologist:

No objection subject to condition.

Environmental Health - Protection

No objection subject to condition.

Environmental Health -Contaminated Land

No objection subject to condition.

EAST GRINSTEAD TOWN COUNCIL OBSERVATIONS

The Committee considered the application and highlighted comments on potential land contamination, however it was noted this would be dealt with by the local planning authority under standard conditions. The Committee voted to support approval.

INTRODUCTION

Planning permission is sought for the upgrade of existing Redgra surfaced sports facilities with associated artificial turf, mesh fencing, LED lighting, acoustic barrier, areas of hard standing and resurfaced long/triple jump pits.

RELEVANT PLANNING HISTORY

DM/20/0390 The renewal of a planning approval for a temporary relocatable technology block providing 4 technology teaching classbases, together with associated space for storage and circulation and a second relocatable block providing 2 drama teaching spaces and 2 music teaching spaces together with supporting spaces including music practice rooms, storage and circulation. Permission 2020.

10/01746/C3REG Proposed ground and first floor extension to existing Sports Hall building to provide modern Dance and Drama studio facilities. 2010.

GR/125/91 Sports hall containing 2 badminton courts and ancillary facilities. Permission 1991.

GR/153/95 Four lighting columns for security reasons at the back of car park (street lighting inadequate). Permission 1995.

SITE AND SURROUNDINGS

The school is located on the corner of Lewes Road and Bourg-De-Peage Avenue and is a large secondary school with the school buildings located mainly in the SW corner of the campus with playing fields to the north and east. There are residential dwellings to the north and east with a primary school to the west and residential dwellings to the south.

The application relates to playing fields to the north of the school buildings, located along the northern boundary, which currently consist of two large areas of hard surfaced (Redgra) pitches with a grassed pitch sited between them.

The school is located in a predominantly residential area which contains a mix of dwelling styles and external materials. The site lies within the East Grinstead Built Up Area Boundary

APPLICATION DETAILS

The proposal is for the upgrade of existing Redgra surfaced sports facilities with associated artificial turf, mesh fencing, LED lighting, acoustic barrier, areas of hard standing and resurfaced long/triple jump pits. The applicant has stated that the sports pitches are believed to have been installed in the 1980s and that Redgra pitches were popular in the 1970s and 1980s before artificial turf solutions became feasible in the UK. The pitches are now urgently in need of upgrading and rarely used due to their old age and poor

playing performance, which presents a challenge for the school to deliver their sports curriculum and limits the offer of facilities for the wider community.

The proposal therefore includes the following:

- o An Artificial Grass Pitch (AGP) with associated storage recesses;
- o An artificial Hockey Turf Pitch (HTP) with associated storage recesses;
- o Associated mesh fencing to the perimeter of each pitch, to replace the existing mesh fencing varying in height from 1.2m to 4.5m.
- o Associated solid 3m high acoustic barriers along the northern boundary of the pitches;
- o Associated lighting columns and LED head units with shields to illuminate the pitches;
- o A rubber bound surface is proposed for the long/triple jump pits with sanded landing areas to replace the existing athletics provision;
- o Areas of hard standing to provide access to the various sports pitches; and
- o An area of tree planting to meet biodiversity net gain requirements for the site.

The proposal does include the removal of an existing 400m track running track that goes around the existing pitches which is currently unfit for purpose. However, a sprint track is proposed instead which will be marked out over the hockey pitch.

The artificial turf surfaces would be green in colour, to resemble natural turf, while the long/triple jump area would have a rubber surface in a terracotta colour with sand for the landing areas. The proposed lighting comprises of a total of 14 galvanized columns, each 15m in height and with LED luminaires atop.

The mesh fencing around the football and hockey pitches would be galvanized and powder coated RAL 5003 blue, to match existing fencing on the school site. The solid acoustic barrier would be made of a treated timber, typically oak. The proposed lighting columns would be galvanized silver/grey and the pathways and areas for spectator areas would be macadam surfaced grey/black.

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 East Grinstead Neighbourhood Plan (EGNP).

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:

- o DP17: Ashdown Forest
- o DP24: Leisure and Cultural Facilities and Activities
- o DP26: Character and Design
- o DP29: Noise, Air and Light Pollution
- o DP38: Biodiversity
- o DP39: Sustainable Design and Construction
- o DP41: Flood Risk and Drainage

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 was made on 2nd November 2016.

Relevant policies:

- o EG3: Promoting Good Design
- o EG16: Ashdown Forest Protection

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 the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the 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:

- o DPS2: Sustainable Design and Construction
- o DPS4: Flood Risk and Drainage
- o DPN4: Trees, Woodland and Hedgerows
- o DPB1: Character and Design
- o DPN1: Biodiversity, Geodiversity and Nature Recovery
- o DPC6: Ashdown Forest SPA and SAC

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 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

ASSESSMENT

Principle

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.'

NPPF paragraph 102 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.'

Paragraph 103 also states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless it would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

There is therefore generally support for the provision of sports facilities and encouragement of physical activities. While the proposals are not on public land, they will be available for the community to use after school hours in the week and also at weekends. The proposals will upgrade the existing out of date sports pitches and facilities and the new provisions will cater for a wider range of sports than currently exists which will improve both the school curriculum and the offering to the community.

In view of the above it is considered that the principle of the proposed development is therefore acceptable and in accordance with planning policy.

Design and Impact on character of the area

Policy DP26 of the Mid Sussex 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development."*

Neighbourhood Plan policy EG3 states:

'Planning permission will normally be granted where development proposals meet the following criteria:

- o The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- o The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- o The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- o The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- o 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;*
- o New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*

o 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
o 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.'

In terms of the visual impact of the proposals, it is considered that the new upgraded artificial turfed sports pitches will enhance the appearance of the site, as the existing hard surfaces currently have a neglected appearance, and the upgrading of the pitches is therefore welcomed.

The perimeter will replace similar fencing that already surrounds the pitches and is therefore not considered to have any significant impact. While the solid timber acoustic fencing will be a new addition and will be noticeable from within and outside of the site, it is not considered that it would appear incongruous and as it would be set immediately adjacent to the mesh fencing and will therefore be seen in the context of the boundary treatment and would also be in keeping with the general school setting.

In view of the above it is considered that the proposed development is in accordance with policies DP26 of the MSDP, EG3 of the EGNP and the aims of the NPPF.

Residential Amenity

Policy DP26 of the MSDP states in part that, *'All applicants will be required to demonstrate that development: 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 (see Policy DP29);*

A similar ethos is found within policy EG3 of the East Grinstead Neighbourhood Plan. Although policy EG3 states that proposals should "not harm" adjoining neighbours amenity whereas policy DP26 of the MSDP states that development should 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. 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. As such, policy DP26 of the MSDP 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.

The nearest residential neighbours are located to the north of the sports pitches in Elm Drive and Sycamore Drive and there is an area of open land with a pond and mature trees separating the school site from the houses. The nearest properties are some 17m and 20m from the northern boundary of the school, and it is therefore considered that the proposed physical changes to the sports pitches would not have any significant impact on residential amenity, particularly as the proposal relate to the upgrading of existing sports pitches on the site.

However, while it is noted that while there has been no representation from neighbours objecting to the proposals with only letters of support received, there is the potential for increased noise and disturbance given the proposed extension of the use of the pitches outside of school hours.

The Environmental Health officer initially raised concerns regarding the proposed after school use of the pitches and the potential for noise disturbance in the evening and weekends. The proposed hours of use as originally submitted were:

Monday to Friday - 0800 to 22.00 hours
Saturday - 0900 to 22.00 hours
Sunday/Bank holiday 09.00 to 18:00

Following negotiations the applicant has agreed to a condition requiring as Noise Management Plan to be submitted for approval before the use commences, in line with the comments received from Environmental Health and has also revised the proposed hours of use which are now:

Monday - 0800 to 1800 hours

Tuesday to Friday - 0800 to 2100 hours

Saturday - 0900 to 1500 hours

Sundays and Public Holidays - 1000 to 1500 hours

As a result, Environmental Health are now satisfied with the proposal with regard to potential noise issues.

There were no issues raised by Environmental Health regarding the proposed lighting which is considered to appear appropriate, subject to a condition requiring further detail such as lux levels prior to installation.

In view of the above and subject to conditions including hours of use and the submission of a noise management plan, it is considered that the proposed development would not result in any significant harm to residential amenity in accordance with Policy DP26.

Flood risk and Drainage

Policy DP41 of the District Plan requires development proposals to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. In areas that have experienced flooding in the past, use of Sustainable Drainage Systems should be implemented unless demonstrated to be inappropriate.

The Drainage Engineer has reviewed the drainage details submitted and has raised no objection and is satisfied that the final details of the proposed surface water drainage and means of disposal can be conditioned and the pitches not be brought into use until all the approved drainage works have been carried out in accordance with the approved details.

In view of the above it is considered that the proposal would comply with policy DP41.

Ecology

Policy DP38 of the District Plan relates to biodiversity and states:

Biodiversity will be protected and enhanced by ensuring development:

Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and

Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and

Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and

Promotes the restoration, management and expansion of priority habitats in the District; and
Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Para 193 of the NPPF highlights that the planning system should contribute to and enhance the natural and local environment by, amongst other things protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains where possible. In determining planning applications, para 180 sets out a number of principles that local planning authorities should apply in trying to conserve and enhance biodiversity, which include the following:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused ;

The consultant Ecologist has reviewed the Preliminary Ecological Appraisal and Preliminary Roost Assessment and has raised no objection to the application subject to conditions. The conditions are to ensure that the mitigation and enhancement measures identified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment are implemented in full and a further condition requiring a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal.

In addition, the ecologist has stated that a Wildlife Friendly Lighting Strategy is implemented for this application, as set out in the submitted Preliminary Assessments, is supported and that this should be secured by a condition of any consent and implemented in full.

It is therefore considered that subject to conditions the application would comply with policy DP38 of the District Plan and the aims of the NPPF.

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).'*

The consultant ecologist has reviewed the submitted Biodiversity Net Gain Assessment and has raised no objections commenting:

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Assessment (Arbtech Consulting Ltd., December 2024). Biodiversity net gain is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement.....

In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. However, we note that the post-intervention values have been provided and that no significant on-

site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

In view of the above it is considered that the application would comply with Biodiversity Net Gain requirements.

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.

A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

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.

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an overall impact on Ashdown Forest. This means that 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 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.

Other Matters

It is noted that the Parish Council commented on potential land contamination on the site, noting however that this would be dealt with by the local planning authority under standard conditions.

Environmental Health have reviewed the submitted land contamination report which indicates the presence of an anthrax pit towards the centre of the running track. Environmental Health are satisfied that a discovery strategy condition is appropriate in this case, so that if during construction, contamination not previously identified is found to be present at the site then no further development would be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, has been submitted to and approved in writing by the LPA.

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.

The proposals will upgrade the existing out of date sports pitches and facilities and the new provisions will cater for a wider range of sports than currently exists which will improve both the school curriculum and the offering to the wider community.

It is considered that the principle for new and/or enhanced leisure and activities and facilities, is acceptable and in accordance with policy DP24 of the MSDP and paragraphs 102 and 103 of the NPPF.

The proposed design, layout and scale of the development is considered acceptable, and it would not cause harm to the character and appearance of the area. Subject to conditions, the proposal is also not considered to cause significant harm to the neighbouring amenities.

There will be a neutral impact in respect of drainage, ecology and contamination and there will be no likely significant effect on the Ashdown Forest SPA and SAC.

In conclusion, the application is therefore considered to comply with policies DP17, DP24, DP26, DP29, DP38 and DP41 of the District Plan and policies EG3 and EG16 Neighbourhood Plan, and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Susan Dubberley