

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0128	Case Officer:	Stuart Malcolm
Application Type:	Full Application		
Proposal:	Proposed sports pavilion to Manyweathers playing field		
Site:	Playing Fields North Of Headmasters House And Westfield, Hurstpierpoint College, College Lane, Hurstpierpoint, West Sussex, , ,		
Validation Date	16 Jan 2025	Overall Expiry Date:	27 Mar 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Mar 2025
Target Date:	13 Mar 2025	Recommending Officer Signature:	<i>Stuart Malcolm</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	11 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0128

**Playing Fields North Of Headmasters House And Westfield, Hurstpierpoint College, College Lane, Hurstpierpoint, West Sussex, ,
Proposed sports pavilion to Manyweathers playing field
Mr Dan Higgins**

Summary of representations

None received

Summary of consultations

MSDC Ecological Consultant: No objections, add conditions.

NatureSpace (newts): Not considered to be relevant to the District Licensing Scheme and consider there would be no likely impact on great crested newts or their habitats.

MSDC Conservation Officer: The proposal is considered to preserve the setting of the listed buildings, their special interests and the manner in which these are appreciated

Parish Consultation

The committee's recommendation is that MSDC should give permission.

INTRODUCTION

Application DM/25/0128 seeks full planning permission for a new sports pavilion to Manyweathers playing field on land at Hurstpierpoint College campus.

RELEVANT PLANNING HISTORY

There is a substantial history to the Hurstpierpoint College campus. However, the only application of direct relevance to this case is:

DM/19/4468 - Two sports pavilions - Permission, January 2020

This permitted a new pavilion broadly on the site of the existing proposal; at Manyweathers, and another on land further to the east across Malthouse Lane. It is understood that whilst the new pavilion to the east of Malthouse Lane was constructed, the Manyweathers replacement was not built.

SITE AND SURROUNDINGS

The site contains an existing pavilion with veranda which is in a poor condition. It is sited immediately adjacent to a group of single storey Estates buildings with the Headmaster's House located a little further east. All are accessed via a shared driveway off Chalkers Lane and there is a group of school buildings and dwellings immediately south of the adjacent sports pitch. A public footpath runs along the western boundary of the site.

The site is located north of the main cluster of campus buildings, many of which are Grade II listed. The overall campus is isolated from Hurstpierpoint village within a defined area of countryside.

APPLICATION DETAILS

Although similar to the proposal for the Manyweathers pavilion that was permitted under DM/19/4468, this proposal is not identical as both the footprint and design of the proposed new pavilion are now different.

The applicant has described the development as follows:

'The proposed pavilion will measure 20.5m in width by 9.3m in depth and has been designed with verandas on either side to enable views of the playing fields. The building will contain a reception area, kitchen, accessible WCs, changing rooms, and will be constructed with a traditional oak frame, timber shiplap boarding, plain roof tiles, and timber-framed windows. The design reflects a traditional cricket pavilion aesthetic, enhancing its relevance to the historic context of the campus.'

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.

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 and the Hurstpierpoint and Sayers Common 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 in 2018. The most relevant policies are:

DP12 - Protection and Enhancement of Countryside
DP17 - Ashdown Forest
DP25 - Community Facilities and Local Services
DP26 - Character and Design
DP34 - Listed Buildings and Other Heritage Assets
DP38 - Biodiversity
DP39 - Sustainable Design and Construction
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.

There are no relevant policies.

Hurstpierpoint and Sayers Common Neighbourhood Plan (Mar 2015)

Mid Sussex District Council formally 'made' the Hurstpierpoint and Sayers Common Neighbourhood Plan part of the Local Development Plan for the Parish of Hurstpierpoint and Sayers Common as of 18 March 2015. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Hurstpierpoint and Sayers Common.

The most relevant policy is site specific:

Policy HurstC5: Hurstpierpoint College

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 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.

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 is a material consideration. Paragraphs 8, 11, 131, 135, 193 and 208 are considered to be relevant to this application.

ASSESSMENT

Principle of development

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

In terms of policy designations, the starting point for this assessment is that the application site falls outside of the built-up area so is within the countryside as defined by the Development Plan. Policy DP12 of the District Plan states in part that:

'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.'*

In this case there are other development plan policies that lend support to the proposals in accordance with the exceptions criteria set out within policy DP12.

Policy DP25 (Community Facilities and Local Services), which does not differentiate between a site being located within a built-up area or within the countryside, states in part that:

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

At Neighbourhood Plan level, site specific policy HurstC5 states:

"Development will be permitted within the environs of Hurstpierpoint College where:

- It does not detract from the special architectural character and appearance of the existing collection of buildings and their setting in the landscape;*
- It conserves or enhances the character and appearance of Listed Buildings;*
- It complies with the requirements of Policy C1;*
- It enhances the role of the College as a school and local employer.'*

The scheme, for improved educational/sporting facilities, therefore complies in principle with the development plan.

Design and visual impact on the character of the area

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

'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;*
- 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;*
- positively addresses sustainability considerations in the layout and the building design.'*

The proposed pavilion is traditionally designed for its purpose as a building to support sporting activities and to allow viewing of matches in a sheltered, undercover area in two directions. The scale of the building is appropriate in its own right and in relation to neighbouring buildings and uses. The proposed materials are suitable for the use and will fit in with the rural location.

As such, it is considered that the character of the area is preserved and the policy requirements of DP26 and HurstC5 would be met.

Impact on neighbouring amenity

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).'*

It is not considered that the proposed Manyweathers replacement pavilion would impact on any third party residents, given that the immediately surrounding areas are owned by the college.

Accordingly, the scheme complies with Policy DP26 of the Mid Sussex District Plan.

Heritage Assets

Policy DP34 of the District Plan states that development will be required to protect listed buildings and their settings and this will be achieved by ensuring that, in part, special regard is given to protecting the setting of a listed building.

The NPPF states at paragraph 208 that:

'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

The Council's Conservation Officer has concluded that:

'The building is likely to be visible in views from the listed buildings and their immediate settings, looking across the intervening playing fields. However, it is relatively modest in scale, of an appropriate, traditional design, and will not look out of place in the context of the existing playing fields and similar buildings already in place around them.'

Subject to detail, therefore, the proposal is considered to preserve the setting of the listed buildings, their special interests and the manner in which these are appreciated. This meets the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.'

The proposal therefore preserves the setting of the nearby listed buildings ensuring compliance with Policies DP34 and Hurst C5 of the Development Plan. This is the same conclusion reached under the assessment of DM/19/4468.

Biodiversity

Policy DP38 of the District Plan states in part that:

'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.'*

Originally, the application included the demolition of the existing pavilion but this would have required bat survey information as required by the Council's Ecological consultant. This demolition element of the proposals was subsequently removed from the scheme by the applicant.

The Council's Ecological Consultant has commented that:

'We have reviewed the documents supplied by the applicant, but unfortunately there is an absence of ecological information included with the application to help assess the potential use of the site by bats. However, we have also reviewed the Site Location Plan Dwg No. AL100 Rev A (Building Solutions Consultants Ltd., March 2025), Locations and Block Plans Dwg No. AL100 Rev A (Building Solutions Consultants Ltd., March 2025) and Planning and Sustainability Statement (Rev A) (Building Solutions Consultants Ltd., submitted 6th March 2025) and note that the revised plans indicate that the existing pavilion will not be demolished as part of this application. Therefore, we do not consider that surveys for bats are required.'

We have also reviewed the information submitted to demonstrate that Biodiversity Net Gain can be delivered within the timescale promised and to meet any mandatory BNG requirements required. This includes the Small Sites Metric (January 2025), Pre-Development Baseline Map and Post-Development Map and Biodiversity Gain Plan (January 2025).

We are now satisfied that there is sufficient ecological information available to support determination of this application.'

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 this case the on site biodiversity net gain is not 'significant' so the BNG requirements do not need to be secured via legal agreement.

The application complies with Policy DP38 of the District Plan.

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 Issues

A standard surface and foul water drainage condition will be applied as it was on the previous application.

Regarding sustainability, the applicant has stated that: 'The buildings will not have any fixed heating system installed so will not be subject to Building Regulations in this respect. Low LED lighting will be installed, and WC and shower facilities have been designed to reduce water consumption.' This will be subject of a condition.

The proposal does not affect the public right of way to the west.

CONCLUSION

In conclusion, the proposal is acceptable in respect of its design, the impact on neighbouring residential amenity, biodiversity, preserving heritage assets, flood risk and drainage and the impact on the Ashdown Forest.

As such the proposal accords with the requirements of Policies DP12, DP17, DP25, DP26, DP34, DP38, DP39, DP41 of the Mid Sussex District Plan, Policy HurstC5 of the Hurstpierpoint and Sayers Common Neighbourhood Plan and the NPPF.

The application therefore accords with the development plan and there are no material planning considerations which indicate an alternative conclusion should be reached.

Planning permission should therefore be granted.

Decision: Permission

Case Officer: Stuart Malcolm