

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1291	Case Officer:	Andrew Watt
Application Type:	Full Application		
Proposal:	Proposed increase to the height of the existing fencing surrounding the netball courts by installing a new 4 metre fence including the installation of four new lighting columns at a height of 8 metres, each fitted with LED floodlights; and resurfacing of the existing non-permeable court		
Site:	Hurstpierpoint College, College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9JS, ,		
Validation Date	20 May 2025	Overall Expiry Date:	27 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Nov 2025
Target Date:	15 Jul 2025	Recommending Officer Signature:	<i>Andrew Watt</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	28 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1291

**Hurstpierpoint College, College Lane, Hurstpierpoint, Hassocks, West Sussex, BN6 9JS,
Proposed increase to the height of the existing fencing surrounding the netball courts by
installing a new 4 metre fence including the installation of four new lighting columns at a height
of 8 metres, each fitted with LED floodlights; and resurfacing of the existing non-permeable court
Mr Dan Higgins**

SUMMARY OF REPRESENTATIONS

1 letter of objection:

- Impact on sky view and darkness
- Noise levels from games
- Greater disturbance after dark
- More traffic
- Still countryside where it should be quiet and dark after sunset

SUMMARY OF CONSULTEES

MSDC Conservation Officer

On balance, the proposal will preserve the setting of the listed buildings.

MSDC Environmental Protection Officer

No objection.

MSDC Tree Officer

I have reviewed the Arboricultural Impact Assessment and Tree Protection Plan for this proposal and have no objection. Please do condition adherence to these documents.

TOWN / PARISH COUNCIL OBSERVATIONS

The committee are in favour of the lighting be upgraded to energy efficient lighting and would like to reiterate that whenever the lighting is updated, it should always reduce the overall glare and light spill from the site.

INTRODUCTION

Full planning permission is sought for a proposed increase to the height of the existing fencing surrounding the netball courts by installing a new 4 metre fence including the installation of four new lighting columns at a height of 8 metres, each fitted with LED floodlights; and resurfacing of the existing non-permeable court.

RELEVANT PLANNING HISTORY

In May 2003, planning permission was refused for the provision of ultra low glare floodlights on 8 No. 13m high columns around existing astro sports pitch (03/00136/FUL). This decision was allowed on appeal in March 2004 (AP/03/0085).

In June 2021, planning permission was granted to vary condition 4 of planning permission 03/00136/FUL (allowed on appeal) to allow the cut-off time for the use of the floodlights to change from 8pm to 9pm each day (DM/21/1755).

In October 2024, planning permission was granted to change the southern astro existing floodlights with new LED floodlights (DM/24/1602).

In May 2025, retrospective planning permission was granted to upgrade the lighting infrastructure by installing energy-efficient LED ClearFlood units on existing lighting posts within the car park (DM/25/0117).

SITE AND SURROUNDINGS

The site is located towards the west of the Hurstpierpoint College campus adjacent to the Prep school, performing arts centre, car park and student accommodation. Further to the east, but with no intervisibility between, is the main quadrangle of College buildings and Star House, which are both Grade II listed. The site refers to a netball court, enclosed by 1.5m high chain link fence and with an impermeable surface and 3 no. 3.2m high lighting posts.

The site (and the wider College campus) is located within the countryside to the north of Hurstpierpoint and within a designated Great Crested Newt - Impact Risk Zone (Red).

APPLICATION DETAILS

Full planning permission is sought for a proposed increase to the height of the existing fencing surrounding the netball courts by installing a new 4 metre fence including the installation of four new lighting columns at a height of 8 metres, each fitted with LED floodlights; and resurfacing of the existing non-permeable court.

In detail, the 1.5m high chain link fence will be replaced with a 4m high welded mesh fence in green (RAL 6005), with double-leaf access gate.

Four x 8m high galvanised steel floodlighting columns will be installed to each corner, finished in a powder-coated green colour. The LED lighting will be Philips BVP518 LED floodlights.

The existing black macadam surface will be treated with Leotak cold-applied 40% cationic bitumen emulsion tack coat, followed by hand-laid 6mm Playcourt bitumen surfacing course.

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 Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Practice Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted at Full Council on 28 March 2018.

Relevant policies:

Policy DP12: Protection and Enhancement of Countryside
Policy DP24: Leisure and Cultural Facilities and Activities

Policy DP25: Community Facilities and Local Services
Policy DP26: Character and Design
Policy DP29: Noise, Air and Light Pollution
Policy DP34: Listed Buildings and Other Heritage Assets
Policy DP37: Trees, Woodland and Hedgerows
Policy DP38: Biodiversity

Site Allocations DPD

The SADPD was adopted on 29 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.

Relevant policies:

Policy HurstC1: Conserving and Enhancing Character
Policy HurstC5: Hurstpierpoint College

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 31 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:

DPN2: Biodiversity Net Gain
DPN6: Pollution
DPN8: Light Impacts and Dark Skies
DPC1: Protection and Enhancement of the Countryside
DPB1: Character and Design
DPB2: Listed Buildings and Other Heritage Assets
DPI6: Community and Cultural Facilities and Local Services

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

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 4 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.

Relevant design principles include:

Principle DG11: Respond to the existing townscape, heritage assets and historic landscape

Principle DG48: Design to minimise the impact of noise, air and light pollution

National Planning Policy Framework (NPPF) (Dec 2024)

The National Planning Policy Framework (NPPF) 2024 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 96 (achieving healthy, inclusive and safe places and beautiful buildings), 98 (social, recreational and cultural facilities and services), 131 and 135 (design), 187 (conserving and enhancing the natural environment), 193 (biodiversity and ancient woodland), 198 (noise and light pollution) and 202-221 (heritage assets) are considered to be relevant to this application.

ASSESSMENT

Design and visual impact on the character and appearance of the area

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 HurstC1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan is similar in intent:

'Development, including formal sports and recreation areas, will be permitted in the countryside, where:

- *It comprises an appropriate countryside use;*
- *It maintains or where possible enhances the quality of the rural and landscape character of the Parish area;*

In the South Downs National Park, policy HurstC2 will take precedent.'

The application does not comply with the first criteria of DP12, but in relation to the second, Policies DP24, DP25 and DP26 of the Mid Sussex District Plan and Policy HurstC5 of the Neighbourhood Plan are relevant.

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 of the Mid Sussex District Plan includes education facilities and states (in part):

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

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;'*

Policy HurstC5 of the Neighbourhood Plan 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.'*

In principle, the enhancement of existing facilities is supported by the above policies.

It is considered that the fencing and the lighting columns are sympathetic to the surrounding character of the area, which consists of a variety of educational and ancillary facilities. The court is well integrated with existing hard surfaces and is not isolated in the landscape. While visible from public views along Chalkers Lane to the north (plus there is a public right of way some 135m to the west), the site is viewed in context with an existing car park and sporting facilities, including 2 artificial sports pitches with floodlights.

In allowing the appeal for the use of the floodlights on another part of the campus in 2004, the Inspector concluded that the site fell within zone E2 (low brightness areas) rather than E1 (intrinsically dark areas) of the Chartered Institute of Building Services Engineers Lighting Guide. Since that appeal, there have been other approvals for floodlighting across the College campus so the conclusion that the site is not within zone E1 would be valid now. The site is therefore not within an intrinsically dark landscape as referred to in Policy DP29.

Given that there are other floodlights within the site which can be operated until a similar time (9pm), it is not considered that this proposal would have an adverse impact on the character of the countryside or the area more generally.

Accordingly, it is considered that the development would comply with Policies DP12, DP24, DP25 and DP26 of the Mid Sussex District Plan and Policies HurstC1 and HurstC5 of the Neighbourhood Plan.

Impact on the setting of the Listed Buildings

Hurstpierpoint College contains two designated heritage assets, being Grade II listed buildings.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy DP34 of the Mid Sussex District Plan states (in part):

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*

- Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;
- Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;
- Special regard is given to protecting the setting of a listed building;
- Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'

Design Principle DG11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate.

Paragraphs 207, 208, 210, 212 and 215 of the NPPF are relevant, as follows:

207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

208. 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.

210. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Council's Conservation Officer has made comments as follows:

'The application site, Hurstpierpoint College, is an extensive college campus with at its heart a linked pair of Grade II listed buildings- the original quadrangle dating from 1853, and Star House to the east, built as the headmaster's house and dating from 1873. The College campus has developed significantly since it's foundation, by incremental additions to the built form around the quadrangle, particularly to the west, north west, and east. The College sits in a rural setting to the north of Hurstpierpoint- this surviving rural setting contributes positively to the historical illustrative value of the listed buildings as a 19th century school deliberately established in a semi-isolated rural position, and to their aesthetic value.

The current proposal relates to an existing netball court which is located to the western side of the college campus, adjacent to a car parking area and other games provision. The site is separated from the listed buildings at the heart of the campus by more modern buildings, but it can be seen looking southwards from Chalkers Lane, and does form part of the wider context within which the listed buildings are appreciated in terms of the approach to them along this road.

The proposal is to remove the existing 1.5m high fencing around the court and replace it with 4m high green mesh fencing, to replace existing lighting columns with 8m high LED light columns, and to resurface the court.

The replacement fencing is more than twice the height of the existing and will increase the visual prominence of the court in views from Chalkers Lane. However, as this will be viewed in the context of other existing school buildings and games courts, this is not considered materially harmful to the setting of the listed buildings. The resurfacing of the court is also not considered contentious. The proposed new lighting columns are significantly higher than the existing, at more than twice the height, and I would have some concerns about their potential visual impact, and in particular regarding the increase in lighting levels in this area, notwithstanding that the court is set amongst parking and other games courts. I note that we have a lighting report with the application, and hope that this is scrutinised to ensure that there is no significant increase in light levels or light spill, as this could have an adverse impact on the surviving rural character of the original college buildings.

Subject to the above, the proposal is considered on balance to preserve the setting of the listed buildings, meeting the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.'

These comments are agreed with, and it is therefore considered that the proposal will comply with Policy DP34 of the Mid Sussex District Plan, Policy HurstC5 of the Neighbourhood Plan, Design Principle DG11 of the Mid Sussex Design Guide and paragraph 210 of the NPPF.

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)'*

Policy DP29 states (in part):

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

Light pollution:

- o 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;*
- o The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes.'*

Design Principle DG48 of the Mid Sussex Design Guide states:

'Noise disturbance and air/light pollution can be reduced through careful design including the following measures:

- *Orientating or organising buildings so that the principal habitable rooms and sitting-out areas face away from the source of the pollution;*
- *Incorporating design features such as recessed balconies and acoustic lobbies;*
- *Constructing barriers such as garages or walls between the source of the pollution and dwellings;*
- *Using landscape features (including trees and earth mounding) to absorb noise/air pollution and deflect light; and*
- *Avoiding parking where it will create noise and headlight nuisance from vehicle movements.'*

The nearest residential properties are Hurstlands and Pitfield Barn, some 200m to the north-west of the netball court. Given that there is already some existing artificial sports pitches with floodlighting closer to these properties, it is not considered that the proposed intensification of use, increased noise and lighting will result in significant harm to the amenities of these properties. Therefore it is considered that the development complies with Policies DP26 and DP29 of the Mid Sussex District Plan and Design Principle DG48 of the Mid Sussex Design Guide.

Impact on trees

Policy DP37 of the Mid Sussex District Plan states (in part):

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

The proposal will not result in the loss of any trees but the Council's Tree Officer has assessed the submitted information and recommended that the arboricultural reports are adhered to during and post-construction. This can be secured by condition and accordingly the proposal would comply with Policy DP37 of the Mid Sussex District Plan.

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 comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

Other matters

The site is located within a designated Great Crested Newt - Impact Risk Zone (Red). However, having regard to the nature of the application, it is unlikely to have an impact on newts and accordingly there would be no conflict with the above legislation, policy and guidance.

PLANNING BALANCE AND CONCLUSION

The application is deemed to be of an appropriate design and would not result in harm to the countryside location, the setting of the listed buildings or cause significant detriment to surrounding residents, subject to condition limiting the hours of usage to those of the associated floodlights. There would be no harm to biodiversity. Accordingly it is considered that the development complies with Policies DP12, DP24, DP25, DP26, DP29, DP34, DP37 and DP38 of the Mid Sussex District Plan, Policies HurstC1 and HurstC5 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF, in particular paragraph 210, and is therefore considered acceptable.

Decision: Permission

Case Officer: Andrew Watt