

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0669	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Formation of Essential Additional Vehicle Parking at Multi-discipline Sports Facility		
Site:	East Grinstead Sports Club, Sports Field, Saint Hill Road, East Grinstead, West Sussex, RH19 4JU, ,		
Validation Date	25 Mar 2026	Overall Expiry Date:	16 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	8 Jun 2026
Target Date:	20 May 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	10 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0669

East Grinstead Sports Club, Sports Field, Saint Hill Road, East Grinstead, West Sussex, RH19 4JU,

**Formation of Essential Additional Vehicle Parking at Multi-discipline Sports Facility
The Trustees Of EGSC**

SUMMARY OF REPRESENTATIONS

There was one letter of representation received in response to the proposed development. The letter neither objected nor supported the proposal but raised concerns regarding the noise generated when the Sports Club closes.

SUMMARY OF CONSULTEES

Tree Officer: *'I have reviewed the AIA and AMS for this proposal and note the loss of 3 no. of category B trees. These trees are a constraint to development and the removal of these, without mitigation is contrary to DP37 of the Mid Sussex District Plan 2014-2031. Further, these trees are subject of a TPO.'*

West Sussex County Council Highways: *'In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.'*

Ecology: *'We are not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination.'*

TOWN COUNCIL OBSERVATIONS

Town Council No comment.

INTRODUCTION

The application seeks planning permission for the development of a new vehicle parking area to the south-west of the existing Sport Club.

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 scoreboard 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.

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). The area subject to the current application is subject to a Tree Preservation Order.

APPLICATION DETAILS

Full planning permission is sought for the development of a new off road vehicle parking area to the south-west of the Sports Club. This would provide space for 110 car parking spaces and three coach bays.

The submitted application form does not specify exactly what materials would be proposed but notes that it would be a permeable surface using either tarmacadam black finish or gravel chippings in a light brown colour. Furthermore, there would be specialist low level lighting and the parking areas boundary would be denoted by a post and cleft rail fence.

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
DP21: Transport
DP24: Leisure and Cultural Facilities and Activities
DP25: Community Facilities and Local Services
DP26: Character and Design
DP29: Noise, Air and Light Pollution
DP37: Trees, Woodland and Hedgerows
DP38: Biodiversity

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 (November 2016)

Policy EG1: Protection of the High Weald AONB

Policy EG2: Areas of Development Constraint

Policy EG3: Promoting Good Design

Policy EG12: Car Parking

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

DPN4: Trees, Woodland and Hedgerows

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

DPT4: Parking and Electric Vehicle Charging Infrastructure

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 & 189.

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

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
- Impact on Trees
- Impact on Highways
- 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 submitted Design and Access Statement notes that there are numerous occasions when several sports facilities at the club are being used at the same time, particularly during weekends and evenings or during tournaments being hosted at the Sport Club. By reason of the further footfall generated, it is asserted in the Planning Statement that there is insufficient parking space in the existing arrangement.

The proposal would constitute new development within a countryside location. Although this would be associated with an established Sports Club, the parcel of land is a previously undeveloped greenfield area. The proposal would almost double the amount of vehicle parking spaces currently offered at the Sports Club as the Application form indicates that 120 car parking spaces existing whilst 110 are proposed. It is considered in the absence of further evidence in terms of a parking survey to demonstrate the current visitor numbers, surveys on current parking stress and projected growth, it cannot be reasonably justified that the car park is necessary on a greenfield site within the open countryside.

The following sections of the report will consider the relevant matters associated with the proposed development in the context of the development plan and other material considerations, including the NPPF in order to undertake the necessary planning balancing exercise.

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 site is considered to border open countryside moving towards the south-west which is largely characterised by verdant open fields and mature woodland. Tall mixed broadleaf and conifer trees act as the Sport Club's current south-western boundary.

The proposed development does not specify exactly the proposed material for the parking area, however the application form notes that it is likely to be either tarmacadam or gravel chippings. Both materials are considered to be urbanising features on an otherwise verdant and undeveloped parcel of land. Whilst an area of trees has been felled previously within the proposed plot of land, the parcel of land is still subject to a Tree Protection Order designation. The proposed car park would therefore likely be read as an engineered feature which would add further visual clutter to a greenfield site plot.

Moreover, the application form notes that low level lighting would be included in order to comply with health and safety requirements. Further details of the siting and location of this lighting has not been provided.

In light of the above, the proposal is considered to present an incremental urbanising feature towards the countryside. The submission is considered to lack detail in terms of the proposed materials and layout. As such, the proposed development would fail to comply with the provisions of Policies DP12 and DP26 of the District Plan and Policy EG3 of the East Grinstead 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.'

Whilst the proposal would be associated with an existing established Sports Club, it is considered that the parcel of land subject to the application would be sited on greenfield land. As established within the impact on character and design section of the report, the proposed location is considered to be inappropriate given the sites semi-rural setting.

In terms of the impact on dark skies, The High Weald National Landscape Planning Technical Advice Note states on page 13 that:

'Lux levels should be designed to meet recommended levels for uniformity which prevents the patchy illumination of a surface to be significantly brighter in some areas than others. This is particularly important in car parks and sports designs where an even spread of light is preferred.'

Furthermore, the High Weald AONB Management Plan states on page 43 under actions that public bodies among other matters should: *'Seek to reduce light pollution by ensuring that flood-lit facilities such as sports pitches and car parks are turned off when not in use, through agreements such as planning conditions.'*

It is considered that the application does not specify the levels of illuminance or brightness generated by the proposed lighting to serve the car park. The Preliminary Ecological Appraisal casts further doubt on this matter as it states that no additional lighting is proposed. It therefore cannot be reasonably concluded that the proposal would generate further unacceptable light spill towards the High Weald AONB.

The proposal is considered to fail in preserving or enhancing the intrinsic character and beauty High Weald AONB. Accordingly, the scheme would fail to comply with Policy DP16 of the District Plan and Policy EG1 of the Neighbourhood Plan.

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. Furthermore, the scheme does not intend to extend or alter the Sports Clubs opening hours.

Some concerns were raised in a letter of representation with regard to the noise generated from cars and visitors to the Sports Club. Whilst no noise management plan has been submitted in support of the proposal, it is considered that individual visitors behaviour would not be an enforceable matter for the Local Authority to pursue.

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 EG3 of the Neighbourhood Plan in respect of the impact on neighbouring amenity.

Impact on Trees

In relation to new developments impact on trees, policy DP37 of the District Plan states that:
*'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'*

The existing plot of land subject to the application is subject to a blanket Tree Preservation Order which was confirmed in 2016 under TP/15/0007 following the felling of a group of trees located within the central area of the woodland.

The Council's Tree Officer has been consulted and noted that the proposal would result in the loss of 3 category B trees without mitigation. It is considered that the proposed trees to be removed are subject to a Tree Preservation Order and their removal under an independent application would not likely be supported due to their visual and landscape value.

The proposed development would result in the loss of trees without any form of mitigation and contrary to the provisions of DP37 of the District Plan.

Impact on Highways

Policy DP21 of the District Plan states the following with regard to transport:
'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:
o A high quality transport network that promotes a competitive and prosperous economy;
o A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;
o Access to services, employment and housing; and
o A transport network that feels, and is, safer and healthier to use.
To meet these objectives, decisions on development proposals will take account of whether:
o The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);
o Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;

- o The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- o The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- o Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- o The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- o The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- o The scheme protects the safety of road users and pedestrians; and*
- o The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.'*

Paragraph 115 of the NPPF states that applications should ensure that sustainable transport modes are prioritised and utilise safe and suitable access to the site amongst other matters. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe.

Furthermore, Policy EG12 of the East Grinstead Neighbourhood Plan states that:

'Planning permission will only be granted where vehicle-parking provision, including cycle parking, is in accordance with West Sussex County Council adopted parking standards and it does not dominate the street scene.

In exceptional circumstances, a departure from the adopted standards will be supported if the applicant can demonstrate specific local circumstances require a different level of parking provision, including as a result of the development site's accessibility to public transport, shops and services, highway safety concerns and local on-street parking problems. For this to be accepted a Transport Assessment will be required together with a set of proposals to justify this alternative provision.'

The proposed car park would be served by an existing established access leading off from Saint Hill Road to the north with a private access skirting the western side of the main Sports Centre building. Saint Hill Road is subject to a 60mph speed limit in the section to which the access adjoins and is a C classified road.

The Local Highway Authority (LHA) has been consulted and the following comments were received:

'The proposals seek an extension to the existing parking area, providing an additional 110 car parking spaces and 3 coach parking spaces. From inspection of the plans, the proposed parking area appears suitably laid out and on-site turning for both cars and coaches appear achievable. No alterations are proposed to the existing vehicle access arrangement. Consequently, no highway safety or capacity concerns would be raised.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.'

Despite no objection being raised towards the proposed development from the LHA, as outlined within the section titled 'Principle' of the report, it is considered that the submission has not evidenced the proposed amount of parking spaces in a greenfield countryside location. Policy DP21 of the District Plan only requires an 'adequate' provision of parking rather than a potential over-provision of spaces. Moreover, Policy DP21 requires that proposals do not cause harm towards the special qualities of the High Weald Area of Outstanding Natural Beauty. As concluded in the section of the report titled 'Impact

on the High Weald AONB', the submission has failed to demonstrate that the proposal would protect the intrinsic character and beauty of the High Weald AONB.

Accordingly, it is considered that the proposal would fail to comply with the provisions of DP21 of the District Plan in terms of the proposed level of car parking.

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 per cent 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 application form confirms that BNG is required for the proposed development.

Following consultation with the Council's Ecology Consultant, it was considered that the submission provided insufficient information. It was noted that The Statutory Biodiversity Metric Calculation Tool recorded the grassland as other neutral grassland being in a poor condition. However, the Preliminary Ecological Appraisal records the grassland as moderate grassland in a moderate condition.

The submission seeks to use off site enhancements which can be secured via a legal agreement and through a Habitat Management and Monitoring Plan. This will need to be considered by the Applicant through a BNG condition.

Whilst the PPG advises that statutory framework for BNG has been designed as a post decision matter, it is not just a post-permission matter. To ensure the biodiversity gain objective is met and the condition can be discharged successfully, it is important biodiversity net gain is considered throughout the planning process. The PPG states *'When a planning application is submitted for development which the applicant believes is subject to the biodiversity gain condition, there are minimum national information requirements related to biodiversity net gain which the applicant must provide. These requirements will allow consideration of existing habitat baselines for relevant applications so there is a common understanding about the pre-development biodiversity value of the development's onsite habitat at this stage.'* (Paragraph: 002 Reference ID: 74-002-20240214). In this case, Officers are not satisfied that the information that has been provided in relation to the baseline for BNG is satisfactory and therefore this should be reflected in the reasons for refusal.

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 proposed development is considered to constitute an engineered and urbanising feature within an otherwise green and verdant countryside location. The proposal would also result in the removal of three protected trees to facilitate an unacceptable form of development. The removal of these trees would in

their own right not be supported by virtue of their Tree Preservation Order designation. Additionally, the proposal would fail to conserve or enhance the High Weald National Landscape.

The submission is considered to provide insufficient and ambiguous information with regard to the proposed lighting serving the car park as well as the proposed materials. There is also contradictory information submitted pursuant to BNG matters.

These factors weigh heavily against the proposed development.

On the positive side, the additional parking facilities would provide some support for a sports facility. Furthermore, it is asserted by the Applicant that the car park would help alleviate pressure on the existing parking provision. However, it has not been evidenced that the current parking arrangement is constraining the operation. Further justification through a parking survey to demonstrate the current visitor numbers, surveys on current parking stress and projected growth have not been provided. Accordingly, these benefits are considered to attract limited weight.

In weighing up these issues, when taken together, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal.

Overall, the planning balance is considered to fall significantly in favour of refusing planning permission. For the reasons as outlined above, the proposal would fail to comply with the provisions of Policies DP12, DP16, DP21, DP26 and DP37 of the Mid Sussex District Plan, Policies EG1 and EG3 of the East Grinstead Neighbourhood Plan and the relevant paragraphs of the NPPF.

Decision: Refusal

Case Officer: Stefan Galyas