

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1854	Case Officer:	Andrew Horrell
Application Type:	Full County Consent Regulation 3		
Proposal:	Erection of a single-storey modular building		
Site:	Imberhorne Lower School, Windmill Lane, East Grinstead, West Sussex, RH19 2DT, , ,		
Validation Date	27 Jul 2026	Overall Expiry Date:	24 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	No Objection	Recommendation Date:	25 Aug 2026
Target Date:	21 Sep 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	26 Aug 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1854

**Imberhorne Lower School, Windmill Lane, East Grinstead, West Sussex, RH19 2DT, ,
Erection of a single-storey modular building
Assistant Director Property Assets**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

MSDC Environmental Protection: Environmental Protection has no comments to make regarding this application.

INTRODUCTION

This application is a Regulation 3 application by West Sussex County Council (WSCC) for the demolition of existing modular building and erection of a single storey modular building with associated works.

Mid Sussex District Council (MSDC) are consultees and the planning decision will be made by WSCC.

SITE AND SURROUNDINGS

In terms of planning policy, the site lies within the built-up area of East Grinstead.

APPLICATION DETAILS

This application is a Regulation 3 application by West Sussex County Council (WSCC) for the demolition of existing modular building and erection of a single storey modular building with associated works.

The existing building is to be removed with a larger modular building in the same location as that to be removed.

The existing building (music room) based on the drawings submitted within WSCC/025/26 measures some 7.3m in depth, 9.3m in width with a height to eaves of 2.9m and an overall height of 3.9m.

The proposed flat roofed modular building measures 25.605m in depth, 19m in width with a flat roofed height of some 3.3m. This includes three classrooms, a kitchenette, five offices, a shower/WC, two WCs, a therapy room, a calming room, two small group rooms, a meeting room and a store room.

The building will be constructed using horizontal cladding, felt roof, anthracite powder coated doors and windows.

The proposed larger building will result in the loss of a section of playground.

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, Site Allocations Development Plan Document (DPD) and the East Grinstead Neighbourhood Plan.

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

Mid Sussex District Plan

The most relevant policies are:

DP25 - Community Facilities and Local Services

DP26 - Character and Design

DP29 - Noise, Air and Light Pollution

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

SA38 - Air Quality

Neighbourhood Plan

The East Grinstead Neighbourhood Plan was made in 2016.

The most relevant policies are:

EG3 - Promoting Good Design

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 is currently at Examination with initial hearings held in February/March 2026. The Council is consulting on Main Modifications which are required to ensure the plan is legally compliant and sound. 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:

DPN6 - Pollution

DPN7 - Noise Impacts

DPN9 - Air Quality

DPB1 - Character and Design

DPI6 Community and Cultural Facilities and Local Services

Mid Sussex Design Guide

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 Guidance

ASSESSMENT

Principle of Development

Policy DP25 of the District Plan refers to community facilities and local services such as schools and states in part that:

'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:

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

A Supporting Statement from WSCC Education & Skills sets out that the existing building currently used for SEND provision is acknowledged to be life-expired, no longer fit for purpose, and unable to meet modern educational, accessibility, and safeguarding standards. The limitations of the current facilities restrict the school's ability to deliver appropriate interventions, therapeutic support, and inclusive learning environments for pupils with additional needs.

The proposed modular building will provide purpose-designed spaces that are adaptable, accessible, and compliant with current building regulations. These spaces will better support differentiated teaching, small-group work, sensory provision, and quiet areas essential for pupils with a range of needs.

The proposed development will provide the required improved facilities at the school, thereby according with policy DP25 of the District Plan. The proposal is therefore deemed acceptable in principle.

Design and impact on the character of the area

Policy DP26 of the District Plan relates to character and design and states that:

'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;*
- 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;*
- 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;*
- 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);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*

- 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;
- optimises the potential of the site to accommodate development.'

East Grinstead 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.'*

The proposed modular building is considered sympathetic in terms of design, form and scale to the existing school buildings and will be viewed in the context of the surrounding buildings, and therefore is deemed to have a relatively limited visual impact upon the character and appearance of the area.

The proposal therefore accords with policy DP26 of the District Plan.

Impact on residential amenity

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any 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.

The threshold for the related policy within the East Grinstead neighbourhood Plan EG3 states:

'The layout of the proposed development respects the topography and character of the site, protects important landscape features and 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 resolved in favour of the policy which is contained in the last document to be adopted, approved or published. Consequently, policy DP26 of the Mid Sussex District Plan 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.

Policy DP29 relates to noise and light pollution stating in part that *'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:*

Noise pollution:

o It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;
o If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;

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.

In appropriate circumstances, the applicant will be required to provide:

o an assessment of the impact of noise generated by a proposed development; or
o an assessment of the effect of noise by an existing noise source upon a proposed development;'

Policy SA38 of the Mid Sussex Site Allocations DPD has superseded District Plan policy DP29 in respect of air pollution and states in part that 'the Council will require applicants to demonstrate that there is not unacceptable impact on air quality.'

Considering the existing relationship between the school and neighbouring dwellinghouses, it is not envisaged that the proposal would result in a significant increase in noise, air or light pollution.

The Council's Environmental Protection Team has been consulted on the proposal and has raised no comment in relation to the proposal.

As such the proposed development is deemed acceptable in that it should comply with policies DP26 and DP29 of the District Plan and policy SA38 of the Site Allocations DPD.

Other matters

It is noted that supporting plans and documents have been provided in respect of, trees and drainage matters. It is recommended that West Sussex County Council as the determining authority satisfy themselves that the details set out within the submitted plans and supporting documents are sufficient to protect existing trees and that the proposed drainage details are acceptable. It is recommended that consideration also be given to the sustainability of the proposal.

CONCLUSION

In conclusion, the proposed development would provide improved educational facilities at the school and would not detract from the appearance and character of the site and surrounding area. Nor should the proposal cause significant harm to neighbouring amenities. The proposal therefore accords with policies DP25, DP26 and DP29 of the Mid Sussex District Plan, and the relevant provisions of the NPPF. As such, no objection is raised.

Decision: No Objection

Case Officer: Andrew Horrell