

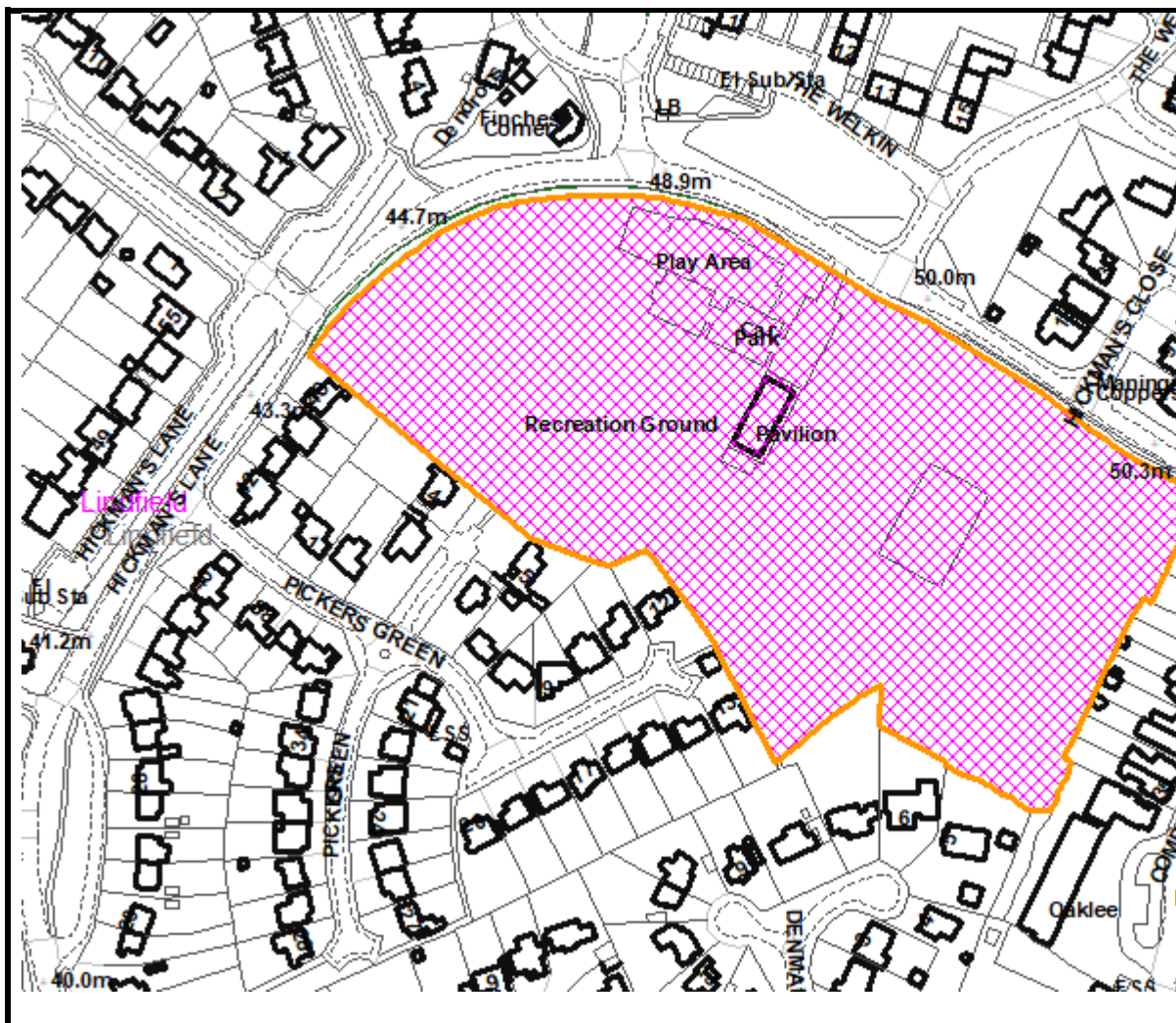
Planning Committee



Recommended for Permission

7th September 2023

DM/23/1909



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Site:	Hickmans Lane Pavilion Hickmans Lane Recreation Ground Hickmans Lane Lindfield Haywards Heath
Proposal:	Ground floor extension to the south of the existing build with a wrap-around terrace
Applicant:	Mr Paul Williams
Category:	Minor Other
Target Date:	19th September 2023

Parish:	Lindfield
Ward Members:	Cllr Anne-Marie Cooke / Cllr Cavan Wood /
Case Officer:	Anna Tidey

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RY5IMFKT04L00>

1.0 Purpose of Report

1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

2.0 Executive Summary

2.1 This application seeks planning permission for a ground floor extension and a 4m deep external terrace at the Hickmans Lane Pavilion, which is located on the recreation ground off Hickmans Lane in Lindfield. The site is identified as a Local Green Space located within the surrounding Area of Townscape Character, as identified in the Lindfield and Lindfield Rural Neighbourhood Plan and lies within the built up area of the village.

2.2 The application is being reported to committee as MSDC is the landowner.

2.3 The proposal follows a recent application under DM/22/2490 which was approved in September 2022 to change the use of the existing pavilion building to a sui generis use to allow a mixed use for learning and non-residential institutions (falling under Use Class F1) and recreational uses to include outdoor sports facilities and a community hall use (Use Class F2).

2.4 That proposal also included works to refurbish the building and for the addition of a new first floor within the building, the addition of a glazed roof extension and an external first floor viewing balcony platform. The applicant has confirmed that the change of use to allow for mixed uses will be implemented, as detailed under DM/22/2490. However, the loft alterations to create a first floor in the building and the roof extension permitted under DM/22/2490 will now not proceed. The proposed extension to the building is now limited to a single storey addition to enlarge the ground floor area, as detailed on the current submitted plans.

2.5 The proposed alterations changes will enlarge and update the pavilion, and extend the available social areas and associated facilities. The alterations to the building are considered of an appropriate design that would not harm neighbouring amenity and would meet the requirements of Policy DP26 of the Mid Sussex District Plan and Policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan. The proposed extension and alterations to the building would improve the existing community facilities for the area and meet the aims of Policies DP24 and DP25 of the District Plan.

2.6 The application is therefore recommended for conditional approval as set out in full at Appendix A.

3.0 Recommendation

It is recommended that permission be granted subject to the conditions listed at Appendix A.

4.0 Summary of Representations

4.1 Five representations received, which contain the following points and objections:

- Support the use of the space for sporting events at the recreation ground.
- Agree that the pavilion is old and needs upgrading.
- The plans for the south elevation raise concerns, due to the inclusion of bifold doors which may attract large gatherings of people for non-sporting events, potentially in the evening, affecting nearby properties.
- Increased traffic, pedestrian and vehicular, and parking, impacting upon Hickmans Lane and the surrounding residential roads.
- One of the direct access points to the pavilion is from Pickers Green, which will be affected.
- Concern regarding future plans for the use of the pavilion and uncertain of what kind of social activities are planned, hours of use, and supervision of young people.
- Will lead to increased noise and disturbance, especially in the evenings and at night when noise carries.
- Concern that a youth club may be planned.
- Neighbours already experience loud music, noise disturbance, underage drinking and drug use.
- Recent escalation of antisocial behaviour in Pickers Green was reported to the police. Concern that this proposal will encourage such activities.
- Impact of the development upon the tree ecosystem and roots.

5.0 Summary of Consultations

5.1 (Full responses from Consultees are included at the end of this report as Appendix B.)

5.2 Environmental Health Officer – To be reported.

5.3 Highways Authority – To be reported.

5.4 Tree Officer – No objection. A method statement of construction details, treatment of incursions into Root Protection Areas, materials details and a Tree Protection Plan are requested.

6.0 Parish Council Observations

6.1 Lindfield Parish Council has no objections to this application. However, would ask that MSDC consider whether sustainable design elements (e.g. solar PV, EV charging and

rainwater harvesting) supporting the ethos of DP39 and 42 can be incorporated in the scheme.

7.0 Introduction

7.1 This application seeks planning permission for the extension of the existing pavilion at Hickmans Lane recreation ground in Lindfield.

7.2 The pavilion is used as a sports facility by Lindfield Cricket Club and Lindfield Juniors Football Club and has, until recently, been in daily use as a childcare facility for Norto5kidz, from 8am to 6pm Mondays to Fridays. The nursery use has been temporarily relocated off site to allow for the proposed building works.

7.3 The application is being reported to the Planning Committee as MSDC is the landowner.

8.0 Relevant Planning History

8.1 The following applications are of some relevance to the current case.

- Planning reference: DM/22/2490. Change of use from F2 Hall or meeting place to Sui Generis to include two use classes, Class F1 - Learning and non-residential institutions and Class F2 which comprises recreational uses including outdoor sports facilities and community halls (all formerly Class D2). Refurbishment, loft conversion and internal alterations to the existing sports pavilion. Approved September 2022.
- Planning reference: LF/067/89. Proposed extension and internal alterations to sports pavilion. Approved October 1989.
- Planning reference: LF/100/87. Extension to existing car park. Approved December 1987.

9.0 Site and Surroundings

9.1 The application site is the existing pavilion at the Recreation Ground off Hickmans Lane in Lindfield. The site is identified as a Local Green Space, located within the surrounding Area of Townscape Character, in the Lindfield and Lindfield Rural Neighbourhood Plan and lies within the built up area of the village.

9.2 The building is sited adjacent to the existing car park serving the recreation ground and a children's play area, with shared vehicular access from Hickmans Lane. A number of mature trees are located to the rear (western side) of the building, which is accessed by a pedestrian path from the car park. There are football pitches laid out to the east and west of the building, which lies in the centre of the grassed recreation space.

9.3 The recreation ground is surrounded by residential properties located off The Welkin and Hickmans Close, off Hickmans Lane, and in Pickers Green and Denmans Close to the south.

10.0 Application Details

10.1 The application seeks planning permission for the addition of a T shaped, single storey ground floor extension. The extension is proposed to be constructed off the southern end gable of the building with a 1.3m wide section linking to a 13.5m wide by 6.6m deep extension.

10.2 The extension is shown to be constructed in a clay facing brick to match the existing building. The addition would have a flat GRP fibreglass roof surrounded by a 3.6m high parapet wall, finished with a powder coated aluminium coping, in anthracite grey. Two 1m by 3m wide skylights are proposed in the roof of the link extension to light the new internal space from above.

10.3 Large glazed windows are proposed in the east and western elevations of the link section, and external doors are sited in the north facing return walls to serve the social area and an external store. Opening full height glazed doors are proposed in the eastern and southern elevations, measuring approx. 4.4m and 4.7m wide respectively. These sliding and bifold doors will allow access from the new social area sited within the extension onto the adjacent extended periphery path and the new associated 4m deep terrace, which is located on the southern side of the extension. Four LED security lights are located at a height of between 2.5m and 2.9m above the ground level on the external walls of the extension.

10.4 The submitted floor plans show the provision of a new kitchen to serve the new social space, within the extension, which has a window located in the southern wall. Within the extension there is also a lobby area to access two small toilets and a larger accessible WC. A new store room has external access from the extended rear access path, which is to be ramped to ease access into the building from the car park.

10.5 Other alterations to the building that are shown on the proposed plans include the addition of a UPVC sun tunnel sky light in the existing western facing roof slope at the rear of the pavilion, and the addition of an external white rendered finish and a new front doorway with side glazing in the northern elevation.

10.6 The proposed extension and terrace are located over an area which has been in use as a fenced outdoor play area for the nursery. The submitted plans show the play area to be relocated to a new position on the western side of the pavilion. The dimensions of the area measure 3.5m deep by 7m wide. The new play area is positioned below the canopy of one of the trees growing to the rear of the pavilion, with access from the perimeter path. The applicant has confirmed that the area will be excavated to a minimum depth of 150mm, then surfaced with crushed stone compacted and finished with a safety surfacing. The area will be enclosed by the reused steel fencing. It has been confirmed that all play equipment

used in the area is removable and is to be stored away at night, and no storage huts will be allowed in the area.

10.7 The application has been accompanied with a combined Planning, Design and Access Statement which is available to view on the planning file. It contains the following points, in summary:

- The existing pavilion is single storey brick structure built circa 1960 and is no longer fit for purpose.
- Sports clubs have evolved and MSDC hiring needs have changed. There is a need to accommodate an increasing number of girls taking up cricket and football.
- The existing 257.5m² building requires 12 car parking bays. The addition of the 86.9m² extension requires a further 4 bays, a total requirement of 16. The 50 existing parking bays exceeds the required number of parking bays. It is also proposed to upgrade and add 2 new cycle locking bars to encourage cycling to the grounds.
- The existing single function room and facilities no longer meet the needs of MSDC or the demand in the area. The new facility will provide an additional function area, an additional accessible toilet and general toilets.
- The submitted design considers MSDC's current and future needs with regards to changing rooms and facilities. The new design addresses this by removing the shared entry changing rooms.
- The proposed construction materials are sustainable and low maintenance. The GRP flat roof system has a 35-year life span. The external walls are 300mm cavity walls with insulation and the fenestration includes powder coated aluminium double glazed windows and doors.
- the function room, kitchen and terrace are proposed to provide an attractive viewing environment and social hub for the club members and supporters and this space could also be used occasionally for outside functions.
- The access strategy improvements include cycle parking, improved servicing arrangements, easily accessible coach parking areas and dedicated disabled car parking spaces close to the entrance. The access from the car park will include level 'landings' outside the entrance doors and a maximum threshold of 15mm. Within the clubhouse all doors and corridors will be of a size suitable for wheelchair users.
- The Planning, Design and Access Statement concludes: 'The proposal embodied in this submission seeks to provide a refurbished pavilion to accommodate the expanding sports clubs that use the facility and the changing needs of MSDC as a facilities provider. The rationale behind the submission is to upgrade the current outdated building to accommodate the needs of the public and the sports clubs. The enlarged facilities will ensure that those who do attend, can use a facility that is fit for purpose.'

10.8 The Statement explains that one of the Council's key Priority Themes is Supporting Healthy Lifestyles as follows:

'to create places that encourage a healthy and enjoyable lifestyle by the provision of first class cultural and sporting facilities, informal leisure space and the opportunity to walk, cycle or ride to common destinations.'

'The Plan also states that this objective will be delivered by providing new and/or enhanced leisure and cultural facilities. The Plan recognises the importance to Lindfield and the District Council of the sports provision at Hickman's Lane and highlights the aspiration of MSDC to improve their facilities, noting the role the existing building plays as a facility for the wider community.'

10.9 During the course of determining the application clarification has been sought regarding MSDC's intentions regarding the permission granted for a new first floor installation, as approved by application DM/22/2490. The proposal now put forward represents a more affordable option to extend the building and will be taken forward instead, with the change of use as approved under DM/22/2490.

10.10 Confirmation has been sought from the MSDC Landscapes and Leisure Team regarding the proposed users and uses of the extended building. The following information has been provided:

- 'at this stage it cannot be confirmed whether the extension will be hired out or leased, but if leased there will also be a requirement for the club that the facility will be available for community hire outside the hours of football and cricket use. The site will be managed by the club and they will remain responsible for events.'
- Should it remain as a MSDC hired venue then the facilities would also be available for hire through Outdoor Leisure. However, as for other MSDC owned pavilions, hire would be restricted to small community events, keep fit classes, committee meetings, children's parties, etc. These events are unlikely to go on after 2100hrs at the latest.
- Other events at Hickmans Lane include the Village Run which would use these facilities for toilet, safeguarding and kitchen facilities.'

11.0 Legal Framework and List of Policies

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

11.2 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.'

11.3 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.'

- 11.4 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.
- 11.5 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.
- 11.6 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan and the Lindfield and Lindfield Rural Neighbourhood Plan and the Site Allocations Development Plan Document.
- 11.7 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.

- 11.8 The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

Policy DP24: Leisure and Cultural Facilities and Activities

Policy DP25: Community Facilities and Local Services

Policy DP26: Character and Design

Policy DP28: Accessibility

Policy DP29: Noise, Air and Light Pollution

Policy DP37: Trees, Woodland and Hedgerows

Policy DP39: Sustainable Design and Construction

- 11.9 Site Allocations Development Plan Document

Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs. There are no policies deemed relevant to this application.

- 11.10 Lindfield and Lindfield Rural Neighbourhood Plan – Adopted 23 March 2016

Policy 6 Local Green Spaces

Policy 7 Areas of Townscape Character

- 11.11 Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is now in the process of reviewing and updating the District Plan. The new District Plan 2021 - 2039 will replace the current adopted District Plan. The draft District Plan 2021-2039 was published for public consultation on 7th November and the Regulation 18 Consultation period ran to 19th December 2022. No weight can be given to the plan at this stage due to the very early stage that it is at in the consultation process.

11.12 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.

11.13 National Planning Policy Framework (NPPF – July 2021)

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. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently. An overall aim of national policy is 'significantly boosting the supply of homes.'

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 38 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 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

12.0 Assessment

12.1 The main issues for consideration in determining the application are:

- Principle of development
- Design
- Impact upon residential amenity
- Access and Parking
- Sustainability

- Habitats Regulations Assessment for Ashdown Forest
- Impact upon trees

12.2 Principle of development

12.3 The most relevant policies in considering the principal of this proposal are District Plan Policies DP24 and DP25 and Neighbourhood Plan Policies 6 and 7.

12.4 District Plan Policy DP24 states:

‘Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported.

The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.

Sites for appropriate leisure and cultural facilities to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.

Proposals that involve the loss of cultural facilities, open space, sports and recreational buildings and land, including playing fields, will not be supported unless:

- *an assessment has been undertaken which has clearly shown the cultural facility, open space, sports land or recreational building to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.’*

12.5 District Plan Policy DP25 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.'

12.6 Policies within the Lindfield and Lindfield Rural Neighbourhood Plan also seek to protect local green spaces (Policy 6) and seek to enhance the Areas of Townscape Character (Policy 7), in which Hickmans Lane Recreation Ground, and the pavilion site are located.

12.7 The Neighbourhood Plan Policy 6 states:

'The Neighbourhood Plan designates Local Green Spaces in the following locations, as shown on the Proposals Map:

- i. Hickman's Lane Recreation Field, Lindfield*
- ii. The Wilderness Field, Lindfield*
- iii. Limes Estate, Lindfield*
- iv. Scaynes Hill Common, Lindfield Rural*
- v. Anchor Pond & Common, Lindfield Rural*
- vi. Scaynes Hill Recreation Ground, Lindfield Rural*
- vii. Scaynes Hill Cricket Ground, Lindfield Rural*
- viii. Recreation area of Lyoth Lane, Lindfield Rural*

Proposals for development which would not be ancillary to the use of Local Green Spaces for public recreational purposes and would not be permitted under development plan policies in respect of protecting open spaces will be resisted unless it can be shown that there is an exceptional public interest need.'

12.8 The proposal involves the extension of and alteration to adapt and enlarge the existing pavilion building. The proposal is for the addition of a modest side extension and an associated external terrace to enhance the existing facilities. The extension and terrace are proposed on an area that does not form part of the established cricket and football pitches and will not represent a significant loss of playing field space.

12.9 The new floorspace will accommodate additional social space for the use of the sports clubs and other local people for community uses. As such it is considered that the proposal accords with District Plan Policies DP24 and DP25 and Policy 6 of the Neighbourhood Plan.

12.10 Design

12.11 Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- 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.}

12.12 Neighbourhood Plan Policy 7 states:

'The Neighbourhood Plan designates the following areas as Areas of Townscape Character, as shown on the Proposals Map:

- i. Summerhill Lane/West Common*
- ii. Sunte Avenue/Hickmans Lane/Denmans Lane*
- iii. The Welkin*
- iv. The Wilderness*
- v. Portsmouth Wood and Portsmouth Wood Close*

Development proposals in an Area of Townscape Character will be supported, provided applicants can demonstrate they have had regard to their impact on the character and appearance of the area and have sought to retain features important to the character of the area, as defined in the Lindfield Village Design Statement.

In particular, proposals should:

- i. retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;*
- ii. retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and*
- iii. avoid the demolition of existing buildings which contribute to the character and appearance of the area.'*

12.13 The MSDC Design Guide contains design principles for High quality and Sustainable Building Design in Chapter 6.

12.14 The proposed extension and associated alterations to the pavilion are designed to be contemporary in appearance with the introduction of new materials in the proposed external

entrance alterations. It is considered that the adaptations to the building will be acceptable to update the existing pavilion and to increase and improve the existing community facility.

12.15 It is considered that the external materials can be the subject of an appropriately worded planning condition to control the final appearance of the alterations, in particular requiring the new brickwork to match the existing building, and to control the appearance of the new areas of glazing and the external render.

12.16 It is considered that the extension has been appropriately designed and that the associated alterations to the pavilion building will accord with the requirements of District Plan Policy DP26, Policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan and the Design Guide principles.

12.17 Impact upon residential amenity

12.18 Hickmans Lane Pavilion is located in the centre of the recreation area, within a wider residential area. The building is sited over 50m from the nearest property at Nos 12 Pickers Green to the south west, and over 80m from the next nearest at No 1 Hickmans Close to the north east.

12.19 District Plan Policy DP29 refers to noise, air and light pollution from new development. It states:

'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:

- It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;
- 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:
 - an assessment of the impact of noise generated by a proposed development; or
 - an assessment of the effect of noise by an existing noise source upon a proposed development;

Light pollution:

- 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;

Air Pollution:

- It does not cause unacceptable levels of air pollution;
- Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;
- Development proposals (where appropriate) are consistent with Air Quality Management Plans. The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.'

12.20 The size of the recreation ground allows a reasonable degree of spacing between the immediate properties and the extended pavilion building. Whilst the form of the building is to be altered by the addition of the southern end extension and terrace it is considered that the scale and form of the addition to the building will be subordinate in form when viewed from the neighbouring properties and their respective gardens.

12.21 Given the presence of the existing pavilion at the site and the distance of the site from the neighbouring properties, the subordinate form of the extension and spacing of the building from the nearby houses it is considered that the construction of the extension and associated external alterations to the existing pavilion will not adversely impinge upon the occupiers of these neighbouring properties.

12.22 The MSDC Environmental Health response is awaited, but appropriate planning conditions are recommended to control the timing of building works and associated deliveries to protect the neighbouring amenities.

12.23 Details of the intended use of the extended pavilion have been provided. It is considered that the nature of the intended uses will be appropriate sports and community uses. The use of the pavilion will remain under the Council's control and will be subject to the publicised hire and leasing conditions.

12.24 Subject to the imposition of a planning condition to limit the hours of use of the extended building and the external lighting on the building the proposed extension to the existing building will not cause significant harm to the amenities of the neighbouring properties. The proposal is therefore considered to accord with District Plan Policies DP26 and DP29.

12.25 Access and Parking

12.26 Policy DP21 in the District Plan seeks to ensure, amongst other things, that proposals provide adequate car parking to serve the development, avoids severe additional traffic congestion and protects the safety of road users and pedestrians.

12.27 Concerns have been raised in the representations on this application regarding increased traffic, both pedestrian and vehicular, and parking as a result of the proposal which may impact upon Hickmans Lane and the surrounding residential roads. The existing pavilion benefits from a 50 space car park, sited immediately adjacent to the building with level access

and cycle parking provision, which is to be enhanced on the site. In addition, there are nearby bus stops on Hickmans Lane and the site is within easy walking distance of the centre of the village.

12.28 Comments regarding the adequacy of the adjacent highways to accommodate vehicular movements to and from the site, any increased vehicular activity and parking generation from the use of the new extension at the site are awaited from West Sussex County Council. These will be reported to members at the Committee meeting.

12.29 The siting of the pavilion on an established recreation ground within walkable distance of the centre of the village provides a well located and sustainable community facility. The proposal therefore accords with Policy DP21 of the District Plan and the relevant requirements of the NPPF.

12.30 Sustainability

12.31 District Plan Policy DP39 is relevant in the determination of this application. This states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- Use renewable sources of energy;*
- Maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation;*
- Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience.'*

12.32 The submitted Planning, Design and Access Statement includes a section regarding the sustainable features of the proposal. These include a series of energy efficiency and sustainability measures including: natural lighting and ventilation, the use of renewable sources of energy, the reuse of construction materials such as the toilets and wash hand basins, the kitchen sinks and taps, electrical light fittings, switches and sockets, the installation of a water heating system and hot water cylinders with limited water usage, new WC's with dual flush systems and taps with concussive taps, the use of a warm roof system, and the installation of wall insulation and double glazed windows to reduce energy use.

12.33 The location of the site is on an established recreation ground sited within walking distance of the village centre and bus stops, which represents a sustainable location for the development.

12.34 It is considered that the proposed extension to the pavilion has been demonstrated to represent a sustainable development on this site and therefore would accord with the requirements of District Plan Policy DP39.

12.35 Habitats Regulations Assessment for Ashdown Forest

12.36 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).

12.37 The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment process for the Mid Sussex District Plan. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

12.38 A Habitats Regulations Assessment screening report has been undertaken for the proposed development.

Recreational disturbance

12.39 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.

12.40 In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan, 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.

12.41 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

12.42 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.

12.43 The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, 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 screening report

12.44 The screening 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.

12.45 No mitigation is required in relation to the Ashdown Forest SPA or SAC.

12.46 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.

Impact upon trees

12.47 District Plan Policy DP37 seeks to protect trees from new development and is relevant in the determination of the application. It states:

'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.

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees; and
- the contribution of the trees to the character and visual amenity of the local area; and
- the amenity and nature conservation value of the trees; and
- the extent and impact of the works; and

- any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

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.'

12.48 During the course of determining this application details of the construction of the relocated external play area have been provided. As the area lies beneath the canopies of mature trees growing to the rear of the pavilion these details and the submitted Arboricultural Impact Assessment and Tree Survey have been reviewed by the Council's Tree Officer. Her comments on the application are reported above. A planning condition is recommended to require the submission of a method statement for the works prior to the commencement of the works on site in order to prevent damage to the Root Protection Areas of these trees, to accord with the aims of District Plan Policy DP37.

12.49 Further information has been sought from the applicant in regards to the construction of the play area and the proposed pre commencement condition will ensure that the works accord with the aims of DP37.

13.0 Planning Balance and Conclusions

13.1 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.

13.2 The proposal will enhance community facilities, in accordance with policies DP24 and DP25 in the District Plan.

13.3 The design of the alterations to the pavilion building are considered appropriate to allow for its extension for community use and will accord with the requirements of District Plan Policy DP26 and Policies 6 and 7 of the Lindfield and Lindfield Rural Neighbourhood Plan.

13.4 Given the presence of the existing pavilion at the site, the distance of the site from the neighbouring properties, and the proposed details of the intended use of the proposed extension it is considered that the enlarged pavilion building and new external terrace area will not adversely impinge upon the occupiers of the neighbouring properties. Subject to the imposition of recommended planning conditions the proposal is considered to accord with District Plan Policies DP26 and DP29.

13.5 The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). The proposed development has been considered in terms of energy efficiency and includes energy efficient features. For reasons including the location of the site and the proposed energy efficiency details of the scheme the proposal has been

demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.

13.6 The siting of the pavilion on an established recreation ground within the village is sustainable, being within easy access to the surrounding residential area and walking distance of the village centre and local residents. The proposal accords with Policy DP21 of the District Plan and the requirements of the NPPF.

13.7 The screening 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 of the proposed development is not required.

13.8 The proposed pre commencement condition will ensure that the works accord with the aims of DP37 with regards to protecting the adjacent trees and this approach is therefore considered acceptable.

13.9 In light of the above it is recommended that the application is approved, subject to appropriate restrictive planning conditions.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall be carried out unless and until samples of materials and finishes to be used for external walls / roof additions / terrace and new external doors and fenestration of the extended and altered proposed pavilion building have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policies 6 and 7 of the Lindfield and Lindfield Rural Neighbourhood Plan.

4. The premises shall not be open for use except between the hours of 0700 to 2200 hours Monday to Sunday and on Public/Bank holidays (and there shall be no external illumination on the premises except between the above-mentioned hours).

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policies 6 and 7 of the Lindfield and Lindfield Rural Neighbourhood Plan.

5. Works of construction, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday to Friday 08:00-18:00 Hours
Saturday 09:00-13:00Hours
Sundays and Bank/Public Holidays no work permitted.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

6. Deliveries or collection of plant, equipment or materials for use during the construction phase shall be limited to the following times:

Monday to Friday: 08:00-18:00hrs;
Saturday: 09:00-13:00hrs
Sunday & Public/Bank holidays: None permitted

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

7. Prior to the commencement of the works including the new location for the play area hereby approved an Arboricultural Method Statement and a tree protection plan for the development works hereby approved, which includes the proposed construction details and materials, shall be submitted to and approved in writing by the Local Planning Authority to prevent any incursions into the Root Protection Areas of the trees that are located adjacent to the pavilion.

Reason: To protect the adjacent trees from damage and to accord with the aims of District Plan Policy DP37

INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	PL001	A	21.07.2023
Site Plan	PL002	A	21.07.2023
Existing Floor Plans	PL003	A	21.07.2023
Existing Elevations	PL004	A	21.07.2023
Proposed Floor Plans	PL005	A	21.07.2023
Proposed Elevations	PL006	A	21.07.2023
Tree Constraints Plan	TCP.HLP.0839.V1		21.07.2023

APPENDIX B – CONSULTATIONS

Lindfield Parish Council

Lindfield Parish Council has no objections to this application. However, would ask that MSDC consider whether sustainable design elements (e.g. solar PV, EV charging and rainwater harvesting) supporting the ethos of DP39 and 42 can be incorporated in the scheme.

Environmental Health Officer

To be reported.

Highways Authority

To be reported.

Tree Officer

I do not object to this application, however, we do require a method statement for incursions into RPAs and a tree protection plan. I am also unsure as to the status of the phase 1 and phase 2 compounds. Do these form part of the application?

The AIA makes reference to the extension and relocated play area only. Full details will be required within AMS of construction details, treatment of incursions into RPAs, materials etc.