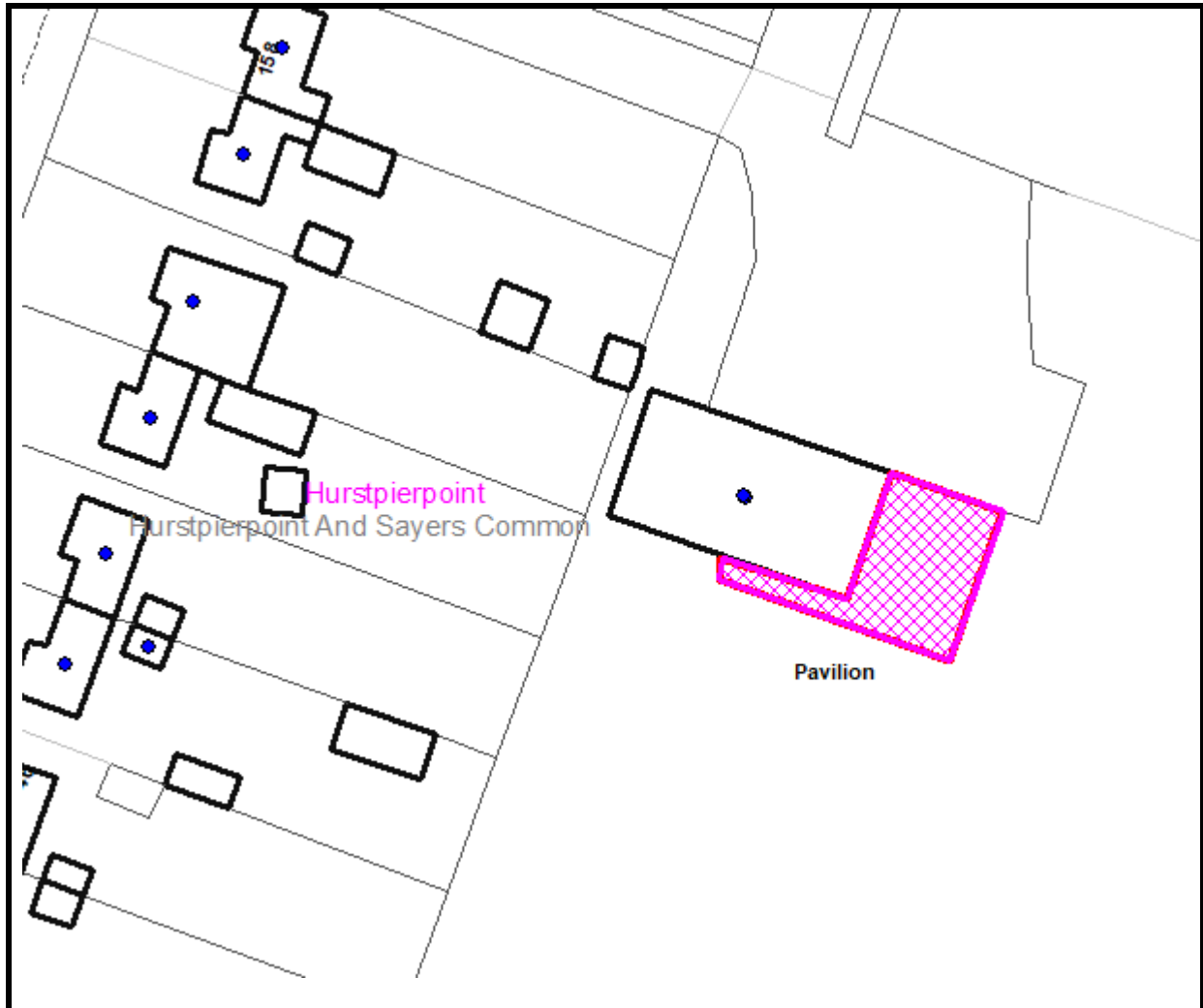


Planning Committee

Recommended for Permission

8th February 2024

DM/23/2960



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Site:	Hurstpierpoint Cricket Club Fairfield Recreation Ground Cuckfield Road Hurstpierpoint West Sussex
Proposal:	Proposal to lay a patio at the front of the existing pavilion building, with a small path running down the side of the building to the store room.
Applicant:	Mr Matt Parsons
Category:	Minor Other
Target Date:	13th February 2024

Parish:	Hurstpierpoint And Sayers Common
Ward Members:	Cllr Alison Bennett / Cllr Rodney Jackson /
Case Officer:	Andrew Watt

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S49NCNKT04L00>

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 Full planning permission is sought for a new patio at the front (east) of the existing pavilion building, with a small path running down the side (south) of the building to the store room, enclosed by a white picket fence. The application is retrospective.

2.2 It is considered that the development improves an existing sporting and leisure facility, with a very limited visual impact and no adverse impact to neighbouring residents. As such, the development complies with Policies DP12, DP24 and DP26 of the Mid Sussex District Plan, Policy HurstC1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, the Mid Sussex Design Guide and the provisions of the National Planning Policy Framework, so should be approved in accordance with the approved plans.

3.0 Recommendation

3.1 It is recommended that the application be approved subject to the conditions set out in Appendix A.

4.0 Summary of Representations

4.1 None.

5.0 Summary of Consultees

5.1 MSDC Environmental Protection

No objection.

6.0 Town/Parish Council Observations

6.1 Our recommendation is that MSDC should give permission.

7.0 Introduction

- 7.1 Full planning permission is sought for a new patio at the front (east) of the existing pavilion building, with a small path running down the side (south) of the building to the store room, enclosed by a white picket fence. The application is retrospective.
- 7.2 The application is being reported to committee as Mid Sussex District Council is the landowner.

8.0 Relevant Planning History

- 8.1 In January 2016, planning permission was granted for the erection of a new permanent 2-lane practice net facility and surrounding security fencing (DM/15/3737). This permission has been implemented.
- 8.2 In September 2017, planning permission was granted for the proposed installation of one artificial wicket to replace one grass wicket (DM/17/2920). This permission has been implemented.

9.0 Site and Surroundings

- 9.1 The red-lined site wraps around the eastern and southern elevations of a sports pavilion adjoining a car parking area. It forms part of the Fairfield Recreation Ground in Hurstpierpoint to the east of Cuckfield Road, from which the access derives. To the south-west corner is a children's playground, while the remaining land is laid to grass and is relatively flat – with a cricket pitch to the centre and a practice net to the east. To the north is an extension of the open space, separated by a partially retained hedgerow, around which front a number of residential dwellings. There are older residential dwellings backing onto the site along Cuckfield Road to the west and from White's Close, Hannington Place and Bishop's Close to the south. The eastern boundary is defined by Tilley's Copse, an ancient woodland.
- 9.2 The site is located within the countryside and within a designated Great Crested Newt Impact Risk Zone (Red).

10.0 Application Details

- 10.1 Full planning permission is sought for a new patio at the front (east) of the existing pavilion building, with a small path running down the side (south) of the building to the store room, enclosed by a white picket fence. The application is retrospective.
- 10.2 The patio measures approximately 7.3m in width to the side of the pavilion and 11.5m in depth, with the adjoining path to the south approximately 1m in width by 10m in length. A brick edge is shown around the patio and path with planting areas either side of the double doors of the pavilion to the east.

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 Using this as the starting point, the development plan for this part of Mid Sussex consists of the Mid Sussex District Plan, Site Allocations Development Plan Document (DPD) and the Hurstpierpoint and Sayers Common Neighbourhood Plan.

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

11.4 **Mid Sussex District Plan (Mar 2018)**

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

11.5 Relevant policies:

Policy DP12: Protection and Enhancement of Countryside
Policy DP24: Leisure and Cultural Facilities and Activities
Policy DP26: Character and Design

11.6 **Site Allocations DPD**

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

11.7 There are no relevant policies.

11.8 **Hurstpierpoint and Sayers Common Neighbourhood Plan (Mar 2015)**

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

11.9 Relevant policies:

Policy HurstC1: Conserving and Enhancing Character

11.10 **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 adopted 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) was published for public consultation on 12th January 2024 for six weeks. At this stage the Local Planning Authority does not know which Policies will be the subject of unresolved objections and therefore only minimal weight can be given to the Plan.

As such, this planning application has been assessed against the policies of the adopted District Plan.

11.11 Relevant policies:

DPC1: Protection and Enhancement of the Countryside
DPB1: Character and Design

11.12 **Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)**

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4 November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

11.13 Relevant design principles include:

Principle DG25: Enhance the environment and sense of place through open spaces
Principle DG29: Deliver a coordinated public realm with high quality landscape

11.14 National Planning Policy Framework (NPPF) (Dec 2023)

The National Planning Policy Framework (NPPF) 2023 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 131 and 135 (design) and 180 (conserving and enhancing the natural environment) are considered to be relevant to this application.

12.0 Assessment

12.1 Principle of development

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.'*

12.2 Policy HurstC1 of the Neighbourhood Plan is similar in intent:

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

- *It comprises an appropriate countryside use;*
- *It maintains or where possible enhances the quality of the rural and landscape character of the Parish area;*
- *In the South Downs National Park, policy HurstC2 will take precedent.'*

12.3 The application does not comply with the first criteria of DP12, but in relation to the second, Policy DP24 of the Mid Sussex District Plan is relevant, and 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.'

12.4 The Planning Statement advises that the project would 'help to maintain the area in poor weather and/or during the Winter, when it becomes overused and naturally damaged' and that 'users and guests and visitors ... will benefit from the welcoming social space ... [created].' It also notes that the cricket club has seen significant increased membership over the last 5 years and although 'the Recreation Ground is also home to Hurstpierpoint FC and Hurstpierpoint Colts, the cricket club are sole leases of the facilities on site, they manage all activity at and inside the pavilion.'

12.5 Based on this, it is clear that the development provides enhanced sporting and leisure facilities, so complies with Policies DP12 and DP24 of the Mid Sussex District Plan and Policy HurstC1 of the Neighbourhood Plan. Assessment is made on the visual impact in the following section.

12.6 **Design and visual impact on the character of the area**

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

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

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *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;*

12.7 Design Principle DG25 of the Mid Sussex Design Guide SPD seeks to ensure that open spaces are designed to optimise their recreational potential by providing multi-functional all year-round activity including both hard and soft surfaced areas. Design Principle DG29 aims to ensure that surface materials are informed in relation to the existing character of an area, their intended purpose and the maintenance, management and technical requirements.

12.8 The development is subservient in scale and design to both the main pavilion building and to the car parking area adjoining the site, so has no adverse visual impact on the character of the area. Accordingly, it is considered that the development complies with Policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

12.9 **Impact on neighbouring amenity**

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

'All applicants will be required to demonstrate that development:

- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29)*

12.10 The main properties affected by the development are those on Cuckfield Road backing onto the Recreation Ground. The nearest point of the path is approximately 11.5m from the rear boundary with 152 and 154 Cuckfield Road and some 33m to the nearest building of no. 152. Accordingly it is not considered that the development results in any adverse impact to the amenity of these neighbours, or those set further away, and therefore the scheme complies with Policy DP26 of the Mid Sussex District Plan.

12.11 **Other matters**

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

13.0 **Planning Balance and Conclusion**

13.1 It is considered that the development improves an existing sporting and leisure facility, with a very limited visual impact and no adverse impact to neighbouring residents. As such, the development complies with Policies DP12, DP24 and DP26 of the Mid Sussex District Plan, Policy HurstC1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan, the Mid Sussex Design Guide and the provisions of the National Planning Policy Framework, so should be approved in accordance with the approved plans.

APPENDIX A – RECOMMENDED CONDITIONS

1. **Approved Plans**

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.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework

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			19.12.2023
Block Plan			17.11.2023
Proposed Floor Plans			17.11.2023

APPENDIX B – CONSULTATIONS

MSDC Environmental Protection

No objection.