

MID SUSSEX DISTRICT COUNCIL

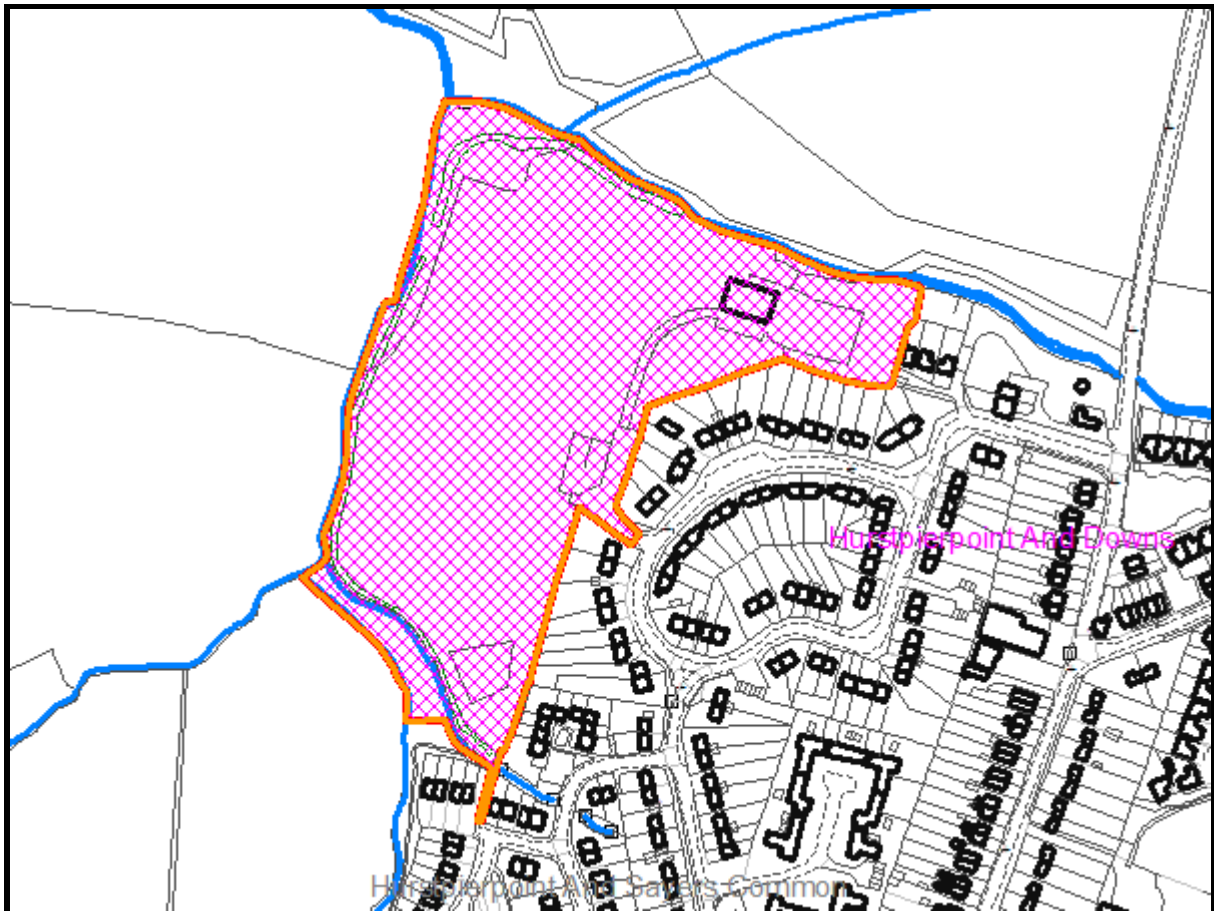
Planning Committee

15 AUG 2019

RECOMMENDED FOR PERMISSION

Hurstpierpoint And Sayers Common

DM/19/1922



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**COURT BUSHES SPORTS GROUND WILLOW WAY HURSTPIERPOINT
HASSOCKS
PROPOSED RELOCATION OF THE EXISTING SHIPPING CONTAINER
(AMENDED DESCRIPTION 17.07.2019).
MR PAUL WILLIAMS**

POLICY: Areas of Special Control for Adverts / Built Up Areas / Countryside
Area of Dev. Restraint / Countryside Gap / Planning Agreement /

Planning Obligation / Aerodrome Safeguarding (CAA) / Sewer Line
(Southern Water) / SWT Bat Survey /

ODPM CODE: Minor Other

8 WEEK DATE: 19th August 2019

WARD MEMBERS: Cllr Colin Trumble / Cllr Alison Bennett / Cllr Rodney Jackson /

CASE OFFICER: Katherine Williams

PURPOSE OF REPORT

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning permission is sought for the relocation of the existing shipping container within the site. The container is used for the storage of equipment for the local football club and is currently positioned within the carpark of the Court Bushes Community Hub, however this is no longer accessible. Therefore the application has come forward for the relocation of the contained to the north of the football pitches adjacent to the hedge line of the Court Bushes Sports Ground, which is within the countryside outside the built up area of Hurstpierpoint.

This application is before committee as the application site is on land owned by Mid Sussex District Council.

The proposed development is considered to comply with the requirements of Mid Sussex District Plan policies DP12, DP24 and DP26, Hurstpierpoint and Sayers Common Neighbourhood Plan policy HurstC1, and the relevant provisions of the NPPF.

It is therefore recommended that planning permission is granted.

RECOMMENDATIONS

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTATIONS

HURSTPIERPOINT PARISH COUNCIL OBSERVATIONS

Recommend permission is granted.

Introduction

The application seeks permission for the relocation of the existing shipping container to the north of the football pitches adjacent to the boundary hedge line. This is within Court Bushes Sports Ground and is accessed from the western side of Willow Way, outside the built up area of Hurstpierpoint.

The application has been referred to Committee because the site is on land owned by the Council.

Relevant Planning History

DM/18/2623 - (Amended description 30.07.2018) Change of use of part of the Ex Serviceman and Social Club (sui generis) to a community hall and nursery (D1). Remodel of the internal layout and alterations to the fenestration. Granted
DM/19/0777 - Variation of Condition 8 of planning application DM/18/2623 to solely relate to the opening hours of the nursery. (Amended description 08/03/2019).
Granted

Site and Surroundings

The Court Bushes Sports Ground is located to the rear of the properties on Willow Way, outside the built up area boundary of Hurstpierpoint, with open countryside to the north and west. The Community Hub and carpark is located to the eastern side and is divided from the rest of the Sports Grounds by a 2 metre high fence. The Sports Grounds and Community Hub are accessed from the western side of Willow Way.

The shipping container is green in colour with a width and depth of 2.6 metres and 6.2 metres and an overall height of 3 metres. The container is used for the storage of equipment for the local football club and is currently positioned within the carpark of the Court Bushes Community Hub; however this is no longer accessible. Therefore the application has come forward for the relocation of the contained to the north of the football pitches along the hedge line of the Court Bushes Sports Ground.

List of Policies

Mid Sussex District Plan (adopted March 2018)

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

HURSTPIERPOINT AND SAYERS COMMON NEIGHBOURHOOD PLAN (made March 2015)

Policy Countryside HurstC1 - Conserving and enhancing character

National Policy

The National Planning Policy Framework (NPPF) 2019 is also a material consideration and paragraphs 8, 11, 15, 38, 80, 84, 103, 124, 127 and 180 are considered to be relevant to this application.

Assessment

Principal of Development

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) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations."*

Section 38(6) of the 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."

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 in this part of Mid Sussex consists of the Mid Sussex District Plan (2018), together with the Hurstpierpoint and Sayers Common Neighbourhood Plan.

Mid Sussex District Plan policy DP12 seeks to protect the intrinsic character and beauty of the countryside, with development permitted provided that it maintains or where possible, enhances the quality of the rural and landscape character of the district. Development would have to be necessary for the purposes of agriculture or supported by a specific policy in the District Plan or Neighbourhood Plan.

Policy DP24 of the Mid Sussex District Plan supports new and enhanced leisure and cultural activities and facilities. Given that the container is used for the storage of

equipment for the local football club, and that the relocation of this container would allow the continued storage of sports equipment on the site, the application is considered to support the continued leisure use of the land. Therefore the proposal is considered to be in accordance with DP12 and DP25 of the Mid Sussex District Plan and acceptable in principle.

Design and impact on the character of the area

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."*

The existing container is positioned within the site, although within a more sheltered position adjacent to the Community Hub which screens the container from wider views. The proposed location of the container would be more visible. However given the modest form of the structure, and that it is green in colour, it is considered that it would not be a prominent feature within the locality and would be in keeping and appropriate to the character of the area. The character of the area would be maintained.

The shipping contain would be moved further away from residential properties on Willow Way, with a separation distance of at least 120 metres, and is therefore considered not to cause harm to the amenities of neighbouring properties.

Planning Balance and Conclusions

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 proposal is acceptable both in terms of the principle and in terms of impact on the character and appearance of the area, and would not cause harm to the amenities of neighbouring properties.

Therefore the proposal complies with Mid Sussex District Plan policies DP12, DP24 and DP26, Hurstpierpoint and Sayers Common Neighbourhood Plan policy HurstC1, and the relevant provisions of the NPPF.

It is therefore recommended that planning permission be granted subject to the conditions in appendix A.

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.

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	PL 001		21.05.2019
Site Plan	PL 002		21.05.2019
Proposed Floor and Elevations Plan	PL 003		21.05.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

Permission is granted