



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0770

New Southwater Sports Club, Church Lane, Southwater, West Sussex, RH13 9BT

DESCRIPTION:

Erection of a 1.8m fence to separate 2 existing football pitches and a 1.1m low-level spectator barrier around the south-west and north-west edges of the north football pitch.

RELEVANT PLANNING HISTORY:

DC/23/0256	Erection of 1.8m high fencing around existing football pitches (Retrospective)	Application Permitted on 29.09.2023
DC/24/1495	Erection of four 20m wide ball stop nets with poles to the four goal ends on the existing community football pitches at Southwater Sports Club.	Application Permitted on 27.11.2024
DC/25/2043	Installation of solar panels to the roof of sports pavilion. (Lawful Development Certificate - Proposed).	Application Permitted on 07.04.2026

DESCRIPTION OF THE SITE AND APPLICATION

The application site, New Southwater Sports Club, is located on the northern side of Church Lane, with the pitches themselves located north of the sports club car park, sport clubhouse and cricket pitch. The site as a whole is situated outside, but adjacent to, the Built-Up Area Boundary of Southwater and is therefore within the countryside for planning policy purposes. The application site consists of two full size football pitches, which are enclosed by a boundary fence of 1.8-metre-high fence, approved under DC/23/0256. There are 3 Public Rights of Way surrounding the pitches on the north (1661), west (1655) and southern (3568) boundaries, with The Downs Link Play Area to the east. There is no current access onto the pitches by members of the public.

This application seeks full planning consent for the following:

- Erection of a 1.8m fence to separate the two existing football pitches
- Erection of a 1.1m low-level spectator barrier around the south-west and north-west edges of the north football pitch.

Whilst the application originally sought planning permission for the creation of permeable accessible path, this element of the development has since been removed following amendments to the application.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 11 - Tourism and Cultural Facilities

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Southwater Neighbourhood Development Plan (2019-2031)

SNP1 – Core Principles
SNP7 – Formal/Informal Sports Area
SNP16 – Design

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 6: Climate Change
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Policy 18: Local Green Space
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Southwater Parish Design Statement 2011

Planning Advice Notes:

Shaping Development in Horsham District
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

INTERNAL CONSULTATIONS

None undertaken

OUTSIDE AGENCIES

None undertaken

PUBLIC CONSULTATIONS:

Representations:

1 letter of Objection has been received from 1 address, objecting to the application on the following grounds:

- Unnecessary addition with no benefit to younger members of Southwater FC
- Visual impact unsightly
- Noise disturbance during works being undertaken
- Path installation and the resulting vegetation removal

6 letters for Support have been received from 6 addresses, supporting the application on the following grounds:

- The proposed fencing will protect players and spectators from unexpected ball strikes from the adjacent pitch
- Dividing the pitches is required by the FA's ground grading criteria to allow teams to participate in higher leagues
- The proposed path allows safe access to the pitches, especially during the winter months when the ground is hazardous
- Fencing matches the existing
- Limited visibility impacts, modest proposal when viewed away from the pitches
- Path accommodates those with disabilities
- No impact on neighbouring amenities

Parish Comments:

Southwater Parish Council: No Objection

Initial Comments:

The proposal is not considered to conflict with the purpose of Policy SNP7, which seeks to retain and protect formal and informal sports areas for sporting activity.

The Parish Council considers that the main material planning consideration is whether the proposed spectator barrier could increase spectator capacity and associated noise, with potential impact on neighbouring amenity. The Parish Council therefore requests that the Environmental Officer is consulted and satisfied as to whether an acoustic assessment is required in relation to spectator noise.

The Parish Council requests that any permission includes appropriate safeguards so that:

- the fencing and spectator barrier are visually recessive and appropriate to the character of the sports ground;
- the proposal does not adversely affect users of nearby public rights of way or the Downs Link;
- any affected trees, hedgerows or landscaping are protected or replaced;
- the path remains permeable and accessible as proposed

Secondary Comments:

None received

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 43 Community Facilities, Leisure and Recreation states that the provision of new or improved community facilities or services will be supported, particularly where they meet the identified needs of local communities as indicated in the current Sport, Open Space and Recreation Study and other relevant studies, or contribute to the provision of Green Infrastructure. It continues that in addition to supporting facilities or services located in accordance with the Development Hierarchy and Strategic Development locations, sites located outside built-up areas will be supported where this is the only practicable option and where a suitable site well-related to an existing settlement exists'.

Policy SNP7 of the Southwater Neighbourhood Development Plan designates the site as Sports Area, with the policy seeking to retain and protect formal and informal sports areas for sporting activity. Where development is allowed on Formal/Informal Areas, the development should not result in unacceptable impacts on the surrounding environment of amenity of nearby properties.

The proposal supports the established recreational and leisure facilities on the site and is considered to improve the safety and security of the facility. For this reason, the proposal is considered to accord with the above policy and is considered acceptable in principle.

Design and Appearance:

Policies 32 and 33 promote development which is of high quality and design and is sympathetic to the character of the dwelling and surroundings. Furthermore, policies 25 and 26 state that development outside of the designated built-up area should be of a proportionate scale to the site, whilst protecting/conserving/enhancing the key landscape characteristics of the area.

Policy SNP16 of the Southwater Neighbourhood Plan states that all development must be of high-quality design. This includes all development providing a good level of security to the building in terms of personal safety, crime prevention and increase community cohesion.

The proposed fencing running through the middle of the site will adjoin and match that of the existing boundary fencing, consisting of 1.8 metre green mesh fencing. This type of fencing is a common and expected feature for sporting facilities and will not appear unduly prominent or visually dominant given the presence of the existing fencing. The 1.1m perimeter barrier, also in green with a mesh fence, will surround two sides of the northern pitch and will be viewed within the context of the site and existing fencing.

Whilst the proposed development will be viewable from the Public Rights of Way surrounding the site, there is mature hedging along the southern boundary, softening this impact from the Downs Link PROW. Furthermore, the fencing would be read in the context of the established sports fields, and whilst it will result in an urbanisation of the rural area, given the context of the wider sports setting and the location next to the modern housing estate, this it is not considered to be significantly harmful.

Overall, it is considered that the development is proportionate and appropriate to the context of the site and would not result in significant adverse harm to the site and wider surroundings. The development is therefore considered acceptable in accordance with the above policies.

Residential Amenity:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Policy SNP7 of the Southwater Neighbourhood Plan states that where development is allowed on Formal/Informal Sports Areas, the development should not result in unacceptable impacts on the surrounding environment of amenity of nearby properties.

It is considered that given the nature of the proposed development and its siting and layout and the resulting relationship with adjacent properties, would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality:

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation use of the site necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, Policy N6 of the NPPF and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters:

The comments by Southwater Parish Council relating to the proposed development increasing spectator capacity and associated noise, with a request for an acoustic assessment are noted. However, the proposed development relates to an existing sporting facility and not the creation of a new facility. Given these works do not alter the capacity of the site, the number of people able to spectate or the space available for spectating, for example through stands, there would be no new noise-generating aspects generated from the proposals. As such, it is not appropriate or proportionate to request an acoustic assessment. Finally, the granting of this permission does not allow alterations to the surrounding Public Rights of Ways, with no trees or hedgerows to be removed or affected.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- This proposed development would otherwise constitute Permitted Development, under Class A, Part 2, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. As such, developments that are granted planning permission by a development order, including permitted development rights, are exempt.

Conclusions:

The development is considered acceptable for the reasons outlined above and is considered to accord

with all relevant local and national planning policies.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 3 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

Public Right of Ways

A. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the relevant local planning authority. Further advice can be provided on request.

B. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route – advice on the legal width can be provided by the WSCC PROW Team.

C. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

D. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

E. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

F. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

G. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

H. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

I. The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury – the applicant must consider how access is managed so the public is not endangered or inconvenienced.

J. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

K. It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

L. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.

M. Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSCC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSCC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.

N. Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.

O. If the development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which may increase the risk of accident or injury to a PROW user, then the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

NOTE TO APPLICANT

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to 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, in order to be able to, where possible, grant permission.

Plans list for: DC/26/0770

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Design & Access Statement	Planning, Design and Access Statement	NONE	12.05.2026
Block plan	Proposed Block Plan	SWFC-PRE-02	07.08.2026
Location plan	Site Location Plan	SWFC-PRE-04B	07.08.2026
Elevation plan	Fence detail	SWFC-PRE-05	09.07.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 02/09/2026

Authorising Officer sign/initial Tamara Dale Date: 03.09.2026