Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1117
Christs Hospital School, The Avenue, Christs Hospital, West Sussex, RH13 0LJ

DESCRIPTION:
Variation of conditions 10, 11 and 12 of previously approved application reference DC/23/0026 (Erection of 4no. Padel Courts including canopy over courts, enclosing fencing, and floodlighting) relating to the expiry date and hours of use for the floodlights and courts.

RELEVANT PLANNING HISTORY:

DC/21/0014	Temporary conversion of the existing land used as a contractors compound to a car parking area. Alterations to existing sports centre car park to increase the number of disabled parking spaces and bicycle racks.	Application Permitted on 28.04.2021
DC/21/1524	Proposed two-storey extension to the existing sports centre to provide two new swimming pools, spa facilities, two class studios, a fitness suite and cafe. Construction of a six-lane, all-weather running track with eight-lane sprint track and ancillary athletic facilities and floodlighting. Construction of a 3G artificial grass pitch with floodlighting. Relocation of spoil on land to the east. Creation of an unlit outdoor adventure area with 15 stations east of the new track. Associated car parking for 272 cars, and a new permanent access to Christ Hospital Road, closure of the existing Infirmary Drive access with conversion of disused section of drive to a sprint track. Erection of associated equipment store, fencing and lighting.	Application Permitted on 13.09.2021
DC/22/0659	Creation of a macadam basketball court with 2.75m high chain-link fence.	Application Permitted on 21.06.2022
DC/22/0862	Continued use of temporary contractors parking area (as permitted under application DC/21/0014) for a further year	Application Permitted on 18.08.2022
DC/22/1990	Non Material Amendment to previously approved application DC/21/1524 (Proposed two-storey extension to the existing sports centre to provide two new swimming pools, spa facilities, two class studios, a fitness suite and cafe. Construction of a six-lane, all-weather running track with eight-lane sprint track and ancillary athletic facilities and floodlighting. Construction of a 3G artificial grass pitch with floodlighting. Relocation of spoil on land to the east. Creation of an unlit outdoor adventure area with 15 stations east of the new track. Associated car parking for 272 cars, and a new permanent access to Christ Hospital Road, closure of the existing Infirmary Drive access with conversion of disused section of drive to a sprint track. Erection of associated equipment store, fencing and lighting) to allow for amendments to the proposed layout of the Adventure Trail.	Application Permitted on 25.01.2023

DC/23/1721	Continued use of temporary contractors parking area (as permitted under application DC/21/0014) for a further year	Application Permitted on 10.11.2023
DC/24/0063	Variation of Condition 1 of previously approved application DC/21/1524 (Proposed two-storey extension to the existing sports centre to provide two new swimming pools, spa facilities, two class studios, a fitness suite and cafe. Construction of a six-lane, all-weather running track with eight-lane sprint track and ancillary athletic facilities and floodlighting. Construction of a 3G artificial grass pitch with floodlighting. Relocation of spoil on land to the east. Creation of an unlit outdoor adventure area with 15 stations east of the new track. Associated car parking for 272 cars, and a new permanent access to Christ Hospital Road, closure of the existing Infirmary Drive access with conversion of disused section of drive to a sprint track. Erection of associated equipment store, fencing and lighting) Relating to Water Neutrality and related Habitat Regulation Assessment.	Application Permitted on 08.05.2024
DC/25/0194	Demolition of an existing two storey welfare block and construction of a new two storey welfare block on the same building footprint.	on
DC/23/0026	Erection of 4no. Padel Courts including canopy over courts, enclosing fencing, and floodlighting.	Application Permitted on 07.07.2023

DESCRIPTION OF THE SITE

Christs Hospital School is an independent day and boarding school located within the settlement of Christs Hospital along with residential areas to the north and west adjacent to the railway line. The school itself is located within the countryside and outside of the defined Built up Area Boundary, however it forms a large part of the settlement of Christs Church. Christs Hospital School is approx. 3km from the south west of Horsham and approx. 1.5km south west of neighbouring settlement of Tower Hill. The site is not located within a conservation area. There are two groups of Grade II* listed buildings within the complex of Christs Hospital School.

The Christ's Hospital School complex contains two groups of Grade II* Listed Buildings. The first group of buildings were listed in 1959, and include the main quadrangle, the chapel, the Big School, the water tower and dining hall as well as the main boarding houses which extend as wings. The water tower is partially visible from the application site but the other buildings mentioned are screened to a large extent by the sports centre, existing trees and landscaping, and other buildings fronting the school. The second group of buildings were listed in 2000, comprise the arts centre and music school which date from 1972-4. These buildings are located to the south of the main school campus and are not visible or appreciable from the application site.

To the north of the application site is a Grade II listed former barn building, now converted to 2no. residential units as part of wider re-development plans in the mid-2000's. This building can be seen from Main Drive, but views from the application site are largely obscured by the presence of mature trees. To the north-east of the application site is a Grade II listed residential building known as The Old Lodge, which was listed in 1980, and is visible from the Eastern Fields. Another Grade II listed residential building known as Field End Cottage (also listed in 1980) is located approximately 350m to the east of the main application site, and fronts the Eastern Fields.

In addition to a number of residential houses and flats located on the school campus occupied by staff and students; there are several other residential properties in the vicinity of the application site. Approximately 100m to the north-west of the site is Bluecoat Ponds and Barnes Wallis Avenue which comprise of around 142 residential properties. Of these properties, numbers 41-52 Bluecoats Ponds are in closest proximity (approx. 40m) to the application site. Properties in King Edward Close are

located further from the application site to the east, and several other properties on Two Mile Ash Road are located within sight of the Eastern Fields.

DESCRIPTION OF THE APPLICATION

This s.73 application seeks the variation of 10, 11 and 12 of previously approved application reference DC/23/0026 to correct an error on the date referred to in condition 10, and to extend the hours of use and floodlighting for the padel courts. The Courts are under construction and due to open in October 2025.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 43 - Community Facilities, Leisure, and Recreation

West Sussex Joint Minerals Local Plan (2018)
Policy M9 - Safeguarding Minerals

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

Neighbourhood Plan:
Southwater Neighbourhood Plan was formerly 'made' on the 23 June 2021.
Policy SNP 1 Core Principles
Policy SNP 16 Design
Policy SNP 7 Formal / Informal Sports Areas

Planning Advice Notes:
Shaping Development in Horsham
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

HDC Conservation: No Objection

HDC Environmental Health: Comment
The courts have not commenced operation yest so it's unclear what the need is for the extended hours on Saturday and Sunday, other than to bring into line with other planning applications for the other sport facilities. Padel is different to other sports due to the contribution for rebound noise from the padel court walls.

I would be happy to consider an application to extend hours once the courts have been operational for a few months and no complaints a have been received.

HDC Landscape Architect: No Objection

OUTSIDE AGENCIES

Ecology Consultant: No comments received

Historic England: No Objection

WSCC Highways: No Objection

PUBLIC CONSULTATIONS
Representations:
None received

Parish Comments:
Southwater Parish Council: No Objection

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

Amendments are sought pursuant to s.73 of the Town and Country Planning Act to conditions 10, 11 and 12 applied to planning permission DC/23/0026.

Condition 10:
Condition 10 currently reads as follows:

***Regulatory Condition**: The temporary Padel Courts hereby permitted shall be permanently removed on or before the 31 June 2028.*

Reason: The Local Planning Authority would not normally grant permission for such a development in this location for heritage reasons but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the development for a limited period.

The applicants are seeking to amend this date by one day to 30 June 2028, as there is no such date as 31 June 2028. This is of no material consequence and as such is clearly acceptable.

Conditions 11 and 12:
Conditions 11 and 12 are interlinked, restricting the hours of use of the padel courts and floodlights as follows:

11 **Regulatory Condition**: The floodlights hereby permitted shall not be illuminated outside the hours of 16:00 and 21:00 hours Mondays to Thursdays and 16:00hrs to 20:00hrs Fridays and 16:00 and 18:00 hours Saturdays and Sundays.

Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition:** The Padel Courts hereby approved shall not be used except between the hours of Mon -Thurs 06.30 hrs to 21:00hrs; Friday 06:30hrs to 20:00hrs and Saturday and Sundays 07:00hrs to 18:00hrs.

Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The applicants are seeking consent to extend these hours as follows:

Existing	**Proposed**
Existing	
16.00-21.00 Mon - Thurs	06.30-8.30 same evening times
16.00-20.00 Fridays	06.30-8.30 and 16.00-21.00 Fridays
16.00-18.00 Sats and Suns	07.00-08.30 and 16.00 -21.00 Sats
	07.00-08.30 and 16.00–20.00 Suns

Condition 12 - The hours of use are requested to be extended to the following times :

Existing	Proposed
06.30-21.00 Mon-Thursday	Same
06.30-20.00 Fridays	06.30 - 21.00 Friday
07.00-18.00 Sats and Suns	07.00 – 21.00 Sats
	07.00 - 20.00 Suns

Essentially, the extension to the hours of use would be one additional hour in the evening on Fridays (to 9pm), three additional hours in the evening on Saturdays (to 9pm), and two additional hours in the evening on Sundays (to 8pm). The hours of use for the associated floodlights would extend to the same evening close, whilst the amended condition 11 would allow these floodlights to operate in the morning period, aligned with the already consented hours of use for the courts. This would enable their use in the mornings in winter months.

The padel courts are to serve both the main school and the separate Bluecoats Sports Health and Fitness Club. The Club is currently open until 10pm Mon-Thurs, 9pm Fridays, and 6pm Saturdays, with the current operational restrictions applied to align with these hours up to a latest of 9pm.

The comments from the Environmental Health officer are noted however the padel courts are located some distance from nearby residents (other than school staff and boarders) meaning intrusion from noise, light and vehicle movements is unlikely. The 9pm curfew for the floodlights would be consistent with the curfew on nearby floodlights associated with the school's 3G pitch. No significant increase in vehicular movements is anticipated from the extra 6 hours a week use of the four courts, and no objections have been received from the Local Highways Authority on highway safety and capacity grounds.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The applicant has not submitted a Water Neutrality Statement with the application.

The host application was screened out from requiring a Habitat Regulations Assessment as the proposed Padel Facilities would be used by either existing students or existing sports centre members at Christs Hospital School and as such there would be no more water demand from the use of toilets and showers than from the existing situation. It remains that it is not considered that there would likely be any increase in membership solely for use of the Padel Courts, but rather from the wider offer of sports facilities which were approved prior to the introduction of the Natural England Water Neutrality Position Statement and related considerations. In addition, the Sports Centre has in any event implemented water efficiency measures required as part of the wider sports facilities under construction, pursuant to planning permission DC/21/1524 (as subsequently amended).

There is therefore no clear or compelling evidence to suggest that the addition of 6 extra hours of potential use of the courts would result in a more intensive 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, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

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.

As the original planning permission to which this section 73 planning application relates was made or granted before 12th February 2024 (in respect of major development), or before 2nd April 2024 (in respect of non-major development), this application is exempt from needing to delivery BNG.

Conclusions:
The proposed amendments to conditions 10, 11 and 12 would not result in harm to amenity, highway safety or ecology, in accordance with the relevant policies of the Horsham District planning Framework.

Recommendation:

Conditions:

1 Plans

2 **Time Condition**: The development hereby permitted shall be begun before 07.07.2026.

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

3 **Pre-Commencement Condition:** No development shall commence (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site), until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved Tree Protection Plan ref [D2487.REV3.3-A1.TPP (on the related DC/21/1524 application)], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition:** The development shall be carried out in full accordance with the drainage strategy approved under application DISC/24/0055.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development shall commence until the car parking spaces to be removed have been re-provided in accordance with the plans as approved under DC/21/1524 and have been made available for use.

Reason: To ensure sufficient parking to serve the development and existing sports centre in accordance with Policy 41 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition:** The floodlights hereby shall accord with the Floodlighting Environmental Impact Assessment (Max Fordham 16.12.2022) in regard to the lighting design scheme for biodiversity. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme in connection with the temporary duration of the Padel Courts. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015); and to allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981.

7 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and 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).

8 **Regulatory Condition:** All works shall be executed in full accordance with the Tree Removal Plan (08) 010 Rev A00 submitted 06/01/2023 unless any variation is approved in writing by the Local Planning Authority prior to commencement of development. In the event that the permission granted under DC/21/1594 is not implemented any trees removed as part of this permission shall be replaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs, and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition:** All works shall be executed in full accordance with the detailed plant schedule and specification Rev 00 (dated 20.04.2023) unless any variation is approved in writing by the Local Planning Authority prior to commencement of development.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The temporary Padel Courts hereby permitted shall be permanently removed on or before the 30 June 2028.

Reason: The Local Planning Authority would not normally grant permission for such a development in this location for heritage reasons but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the development for a limited period.

11 **Regulatory Condition**: The floodlights hereby permitted shall not be illuminated outside the hours of:

- 06.30 to 08.30, and 16:00 to 21:00 hrs Mondays to Fridays;
- 07.00 to 08.30, and 16:00 to 21:00 hrs Saturdays; and
- 07.00 to 08.30, and 16:00 to 20:00 hrs Sundays.

Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition:** The Padel Courts hereby approved shall not be used except between the hours of

- 06.30 to 21:00 hrs Mon - Fri;
- 07:00 to 21:00 hrs Saturday; and
- 07:00 to 20:00 hrs Sundays .

Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition:** No fixed or mobile loudspeakers or PA systems shall be installed or operated at any time.

Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition:** All perimeter fencing erected in association with the Padel Courts shall be fitted with rubber washer inserts as per the specification shown on the Noise Testing Data Sheet reference [D00024-30 DC/21/1524] unless an alternative specification is first agreed by the Local Planning Authority in writing. The fencing shall thereafter be implemented in accordance with the approved details and be retained and maintained as such thereafter.

Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16. **Regulatory Condition:** All hard landscaping (including permeable court construction) shall be carried out as described within the Design and Access Statement submitted with the application.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

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/25/1117
(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
Location plan		(08) 001 REV A01	17.01.2023
Site plan	As existing	(08) 002 REV A00	06.01.2023
Site plan	As proposed	(08) 003 REV A02	24.04.2023
Site plan	As proposed	(08) 004 REV A02	24.04.2023
Site plan	Indicative Surface Water Drainage, as proposed	(08) 005 REV A00	06.01.2023
Elevation plan	As proposed	(08) 006 REV A00	06.01.2023
Section plan		(08) 007 REV A00	06.01.2023
Section plan		(08) 008 REV A00	06.01.2023
Floor plan		(08) 009 REV A00	06.01.2023
Tree plan		(08) 010 REV A00	06.01.2023
Details plan	Detailed Plant Schedule and Specification	RCO 226 REV 00	24.04.2023

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 26/09/2025

Authorising Officer sign/initial Adrian Smith Date: 26/09/2025