



Appeal Decision

Site visit made on 3 October 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st October 2025

Appeal Ref: APP/D3830/W/25/3362316

Sugworth Farm, Borde Hill Lane, Haywards Heath, West Sussex RH16 1XP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Cellnex Connectivity Solutions Limited against the decision of Mid Sussex District Council.
- The application reference is DM/24/2335.
- The development proposed is described as 'erection of a 30m steel lattice telecommunications mast to sit on a pad foundation comprising of geotextile membrane with stone finish. The mast itself would be comprised of galvanized steel and would be finished in a galvanized steel colour (light grey). 6 no antenna apertures fixed to the mast to a maximum height of 31.3 metres above ground level. The antennas will be fixed to the mast in a single headframe. The antennas themselves will be orientated to provide maximum coverage along the route of the BML. 2No. GPS nodes. New compound area measuring approximately 10.2m x 15m which will be demarcated by 2.1 m high chainlink fence topped with 3 strands of barbed wire. Radio equipment cabinets within the proposed compound for all mobile network operators proposed to number 9no in total. Each cabinet will be of steel construction, be finished in Grey all cabinets will be less than 2.5 cubic metres. 1no. shared meter cabinet within fence line on new pad foundation. Retaining wall to be constructed out of gabion baskets; and other ancillary development thereto.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only insofar as they are a material consideration relevant to matters of siting and appearance.
4. Policies DP23, DP34 and DP36 of the Mid Sussex District Plan 2014-2031, adopted March 2018 are material considerations insofar as they relate to issues of siting and appearance. In particular, these policies seek to protect the setting of listed buildings and the character, appearance and setting of a registered park and

garden. These policies also support the expansion of the electronic communication network in the towns and rural areas of the District, but require that new telecommunications equipment should not have an unacceptable effect on buildings of architectural or historic interest. The Framework also includes sections on supporting high quality communications and conserving and enhancing the historic environment.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed installation on the significance of designated heritage assets and if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed, taking into account any suitable alternatives.

Reasons

Siting and appearance

6. The appeal site is located within the countryside and close to a belt of mature trees, which are adjacent to a railway line that lies in a cutting. The appeal site sits within an agricultural landscape, which is characterised by irregular shaped fields, which are bound by trees and hedgerows and interspersed with areas of woodland. While the edge of the nearest settlement is visible from the appeal site, it is some distance away. Nevertheless, the appeal site itself is viewed in conjunction with the attractive, rolling landscape surrounding it and the presence of historic buildings, which denotes the area's former agricultural heritage.
7. The proposal seeks to provide a 30 metre high lattice telecommunication mast, which would have 6 nos. antennas, which would reach a maximum height of 31.3 metres above ground level. The appellant advises that the proposal is the minimum height needed in order to deliver the required network coverage by all of the UK's mobile network operators due to the height of the nearby trees and changes in topography. The proposal would deliver 4G coverage, but has been designed with sufficient structural loading to accommodate 5G apparatus in the future. Additional ancillary infrastructure, including cabinets are proposed, which would be sited behind a chain link fence.

Heritage assets

8. Sugworth Farm (Ref: 1193589) is a timber-framed, Grade II listed building, which is estimated to date back to at least the 17th century. It is two storeys high with attic. It is finished with red brick and has a half-hipped roof of Horsham stone. The building lies within a predominantly agricultural landscape. The historic relationship of the farmhouse with the surrounding agricultural land remains evident and is clearly appreciable.
9. Based on the evidence before me and my site visit, I find that the special interest of the listed building insofar as is relevant to this appeal derives from its historic and architectural interest as an illustration of a historic farmhouse, which dates back to at least the 17th century. The building's timber frame, use of traditional materials and the rural landscape in which it sits contribute towards its special interest.
10. The proposal by reason of its size, design and siting would be seen as an urban and incongruous feature within this predominantly rural landscape, which would harm the attractive, rural setting of Sugworth Farm. While the existing trees would

offer a green backdrop to the proposed installation, the proposal would exceed the height of the trees and there would be limited screening in views from Sugworth Farm. Given the height, grey colour and design of the mast, antennas and gantry support poles, the installation would starkly contrast with the surrounding soft landscaping and would fail to blend in with the green backdrop. Accordingly, it would appear as a discordant and industrial feature within this predominantly agricultural landscape.

11. There are no public rights of way running across Sugworth Farm. However, both Sugworth Farm and the proposed installation would be visible from the public highway. In such views, the proposal would significantly erode the setting of the listed building.
12. I appreciate that there is an existing mast and base station to the north of Sugworth Farm. Although the existing mast is sited on higher level land than the appeal proposal, it is lower in height and sited within a compound of trees. It is therefore materially different to the appeal proposal. Nevertheless, I do not find that the presence of an existing mast and base station justifies a further erosion of the setting of this listed building.
13. On the opposite side of the road to the appeal site are Borde Hill and South Lodge. Borde Hill (Ref: 1000274) is a Grade II* registered park and garden (RPG), which consists of an ornamental garden, which is set within wooded parkland. The listing description describes Borde Hill as a late 19th century to mid-20th century plantsman's and collector's garden, which was laid out by Colonel Stephenson Clark. The RPG lies in an elevated position on a ridge. Views of the appeal site from the RPG are limited due to the mature landscaping.
14. Based on the evidence before me and my site visit, I find that the special interest and significance of the RPG derives from its illustration of an English country garden from around the late 19th to mid-20th centuries. The undulating, rural landscape in which the RPG sits contributes towards its special interest.
15. 'South Lodge to Borde Hill including gate piers and wall' (Ref: 1025508) is a Grade II listed building and as its name suggests is a lodge building, located adjacent to the southern entrance to Borde Hill. South Lodge dates back to the late 19th century. The ground floor consists of sandstone, with fishscale tile hanging above. It has a Horsham stone slab roof. While the immediate setting to South Lodge has been compromised somewhat by the introduction of a modern roundabout and new housing development, the lodge building is still appreciated within its attractive, rural landscape.
16. From the evidence before me and my site visit, I find that the special interest and significance of South Lodge mainly stems from its architectural and historic interests, as an illustration of domestic architecture from the late 19th century. The building's architectural form, historic fabric and the surviving rural landscape in which it sits make important contributions in these regards.
17. The proposed installation would be visible within the landscape as one approaches South Lodge and Borde Hill from a southerly direction. Views would also be visible from the lane, which lies adjacent to the boundary of the RPG. At present, the rural and picturesque qualities of the appeal site and the surrounding rural landscape make a positive contribution to the setting of both of these designated heritage assets. Given the distance from South Lodge and Borde Hill to the appeal site, the

changes in topography and the intervening road and soft landscaping, I concur with the appellant that the impact on South Lodge and Borde Hill would be minor. However, I find that harm would still arise and the proposed installation would appear as an incongruous feature in the landscape, which would erode the rural setting of both of these heritage assets.

18. Overall, I conclude that the siting and appearance of the proposed installation would fail to preserve the setting of the nearby designated heritage assets. Given the nature and extent of the proposal, I find that the harm to Sugworth Farm would be less than substantial at the mid-to-lower end of the scale and the harm to South Lodge and Borde Hill RPG would be less than substantial at the lower end of the scale. However, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the appeal scheme, which I turn to later in my decision.

Need for proposed siting and alternative locations

19. Given the harm that I have identified to the designated heritage assets, alternative locations that might be available are an important consideration. The appellant undertook a sequential approach in respect to site selection. As part of the sequential approach, the appellant identified no mast/site sharing opportunities or existing buildings/structures that would be capable of accommodating the proposed telecommunication mast and equipment. The appellant considered alternative sites as part of their assessment and found the appeal site to be the most suitable having regard to technical, operational and planning considerations. While the Council has not identified any alternative preferable sites in their submission, based on the evidence before me and my site visit, I am not convinced that this is the least harmful option, particularly in relation to designated heritage assets given the proximity of the appeal site to Sugworth Farm.
20. Paragraph 120 of the Framework is clear that where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. While some of the cabinets and the proposed fencing would be green and set against a green backdrop, little else has been done to help minimise the visual impact of the proposal or help it to blend in with the natural environment.

Other Matters

21. The appellant advises that the land to the south of the appeal site is likely to undergo significant change, as it is allocated for housing within Policy DPA7 of the Mid Sussex District Plan 2021 – 2039 Submission Draft. While the proposal has the potential to provide 4G services to future occupants of this proposed allocation, the Council confirms that there are unresolved objections to some of the policies in the emerging District Plan, which is also subject to a legal challenge. Accordingly, I give the policies within the emerging District Plan very limited weight in my decision.

Public benefits and balance

22. The proposal would contribute to providing advanced, high quality and reliable communications, an objective supported by the Government and reflected at Paragraph 119 of the Framework. The proposal would improve the efficiency and

reliability of the digital communications network for part of the Brighton Mainline, which accords with the government's infrastructure strategy¹. The proposal would be used by all of the UK's mobile network Operators and also for people, living, working or visiting the local area, where existing services are currently poor. The improvement to mobile connectivity would enhance productivity for those wishing to work while travelling. The improved connectivity would also enable individuals to contact the emergency services promptly should an incident arise, which has health and safety benefits. The need for the communication infrastructure is not disputed. I afford the economic and social public benefits of the proposal significant weight in my decision.

23. While the Framework supports the expansion of electronic communications networks, this does not disapply other parts of the Framework, including paragraphs 202 and 213. These paragraphs state that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance and that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting, should require clear and convincing justification.'
24. In this case, there is no compelling evidence before me that the location and design of the scheme equates to the least harmful option for securing these public benefits. Accordingly, clear and convincing justification for the harm that would be caused to the significance of the designated heritage assets has not been demonstrated. Even when affording significant weight to the public benefits of the appeal scheme, they do not outweigh the great weight, which is required to be given to the conservation of heritage assets. As such, on balance, I find that the siting and appearance of the proposed installation would be unacceptable and would fail to preserve the special interest of the designated heritage assets.

Conclusion

25. For the reasons given above, I conclude that the appeal should be dismissed.

A James

INSPECTOR

¹ Department for Science, Innovation & Technology (2023) UK Wireless Infrastructure Strategy