

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1547	Case Officer:	Emily Wade
Application Type:	Listed Building Consent		
Proposal:	Replacement existing 1970s storm proof casement windows with separately double glazed flush casements.		
Site:	2 Brickyard Cottages, Street Lane, Ardingly, Haywards Heath, West Sussex, RH17 6UA, ,		
Validation Date	24 Aug 2026	Overall Expiry Date:	2 Oct 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Oct 2026
Target Date:	19 Oct 2026	Recommending Officer Signature:	Emily Wade

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	9 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1547

**2 Brickyard Cottages, Street Lane, Ardingly, Haywards Heath, West Sussex, RH17 6UA,
Replacement existing 1970s storm proof casement windows with separately double glazed flush
casements.**

Mr Paul Taylor

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

N/A.

TOWN/PARISH COUNCIL OBSERVATIONS

No response to date.

INTRODUCTION

2 Brickyard Cottages is a Grade II listed building located within the Ardingly Conservation Area. The current proposal is for replacement of the existing windows throughout with double glazed timber framed casement windows.

RELEVANT PLANNING HISTORY

29.03.2022 Planning permission and listed building consent refused for replacement windows.

Subsequent appeals of these refusal were dismissed.

SITE AND SURROUNDINGS

2 Brickyard Cottages is one half of a Grade II listed building dating (from the list description) from the 17th century. It and its attached neighbour are underbuilt in brick to the ground floor and have hung tile to the first floor. No. 2 has a substantial part 2, part 1 storey rear extension. The building is located within the eastern part of the Ardingly Conservation Area.

APPLICATION DETAILS

The current application proposal is for the replacement of the existing windows throughout the building, which are believed to date from the 1970s, with double glazed timber framed casement windows.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

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

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

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

Policy DP34 of the District Plan relates to listed buildings and other heritage assets.

Policy DP35 relates to Conservation Areas.

However, these policies are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to the relevant policies within Chapter 20 of the NPPF.

Site Allocations DPD

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

There are no relevant policies.

Neighbourhood Plan

The Ardingly Neighbourhood Plan was made on 19 March 2015.

Policy ARD9: Heritage Assets.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current 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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPB2 Listed Buildings and Other Heritage Assets

Mid Sussex Design Guide Supplementary Planning Document (SPD)

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 4th 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.

National Planning Policy Framework (NPPF) (August 2026)

Policies HE4: Securing the conservation of heritage assets, HE5: Assessing effects on heritage assets and HE6: Proposals affecting designated heritage assets, and HE9: Conservation areas are relevant in the determination of this application.

Policy HE4 states that:

1. Heritage assets, as an irreplaceable resource, should be conserved in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:

- a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and
 - b. Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.
2. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.
 3. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the asset should not be taken into account in any decision relating to the asset.
 4. Proposals for enabling development, which would otherwise conflict with other policies in this Framework and/or those in the development plan, but which would secure the future conservation of a heritage asset, should be considered on the basis of whether the conservation benefits outweigh the disbenefits of departing from the policies concerned.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

ASSESSMENT

2 Brickyard Cottages is a Grade II listed 17th century building located within the Ardingly Conservation Area. The existing windows to the building are for the most part 1970s storm proof casements, which are not particularly sympathetic in their detailed design. Two windows to the front elevation, and one to the rear, appear to date from earlier in the 20th century, but are not considered to be of any particular interest. The principle of replacement windows is therefore not considered contentious.

The current application, which is for replacement double glazed windows throughout the property, follows on from the dismissal at appeal of a similar but not identical proposal, which was dismissed at appeal in 2023.

The current proposal is for flush casements with functional glazing bars, holding small individual glazed units. This differs from the appeal proposal, which was for flush casements of a slightly different design, including large, glazed units with applied glazing bars.

In dismissing the 2023 appeals, the Planning Inspector found that the differing appearance of the proposed double-glazed units in relation to single glazing, including their greater depth, different and deeper glazing bar detail, different reflectivity, lifeless appearance and lack of consistency with the attached neighbour at 1 Brickyard Cottages, would result in harm to the special interest of the listed building and the character and appearance of the conservation area which would not be outweighed by the modest public benefits arising from the greater energy efficiency of the building.

Although some of the issues arising from the appeal proposal as identified by the Inspector would also apply to the current applications, there are some important differences both in the nature of the current proposal and in the policy context:

- The framing profile of the proposed windows has been amended, and now appears less chunky than the appeal proposal, and more similar to traditional flush casements.
- The double-glazed units as now proposed are individually set into functional glazing bars, which results a glazing bar profile closer to traditional single glazed windows. The use of small individual glazed units rather than large units with applied bars will also create a less flat and lifeless appearance.
- Importantly, the NPPF has been revised and now includes paragraph CC2.2 which states that: *'Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development.'*

It remains the case that the proposed new windows will have some difference in frame proportions and reflectivity to single glazed windows, and will not be entirely consistent to the fenestration to no. 1 Brickyard Cottages. However in my opinion the combined effect of the positive revisions to the proposal

(in particular changes to the framing including the use of individual glazed units held by functional glazing bars), and the changes to the policy context, is such that any low level of harm arising to the special interest of the listed building and the character and appearance of the Conservation Area would be on balance outweighed by the substantial weight which should be given to the energy efficiency of the existing house which would be achieved (ref. paragraph HE6.4). This is notwithstanding the similar weight which should be given under paragraph HE6.1 to the conservation of designated heritage assets.

Furthermore, the poor condition of the existing fenestration, the (in some respects) more sympathetic design of the proposed replacement windows of the existing, and their increased energy efficiency in my opinion, in this context, provides the justification for the low level of harm arising which is required by paragraph HE4.2.

On balance, the proposal is therefore considered to preserve the special interest of the listed building and the character and appearance of the Conservation Area.

This meets the requirements of NPPF policies HE4-HE6, as well as District Plan Policies DP34 and DP35.

PLANNING BALANCE AND CONCLUSION

It is recommended that listed building consent is granted.

Decision: Permission

Case Officer: Emily Wade