



Appeal Decisions

Site visit made on 18 February 2026

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2026

Appeal A Ref: 6001450

15 Lodge Lane, Hassocks, BN6 8LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Julie Latham against Mid Sussex District Council.
- The application Ref is DM25/0845.
- The development proposed was originally described as retrospective application for the conversion of a detached garage to office with a walkway link to house.

Appeal B Ref: 6001443

15 Lodge Lane, Hassocks, BN6 8LU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Julie Latham against Mid Sussex District Council.
- The application Ref is DM/25/1390.
- The works proposed were originally described as retrospective application for the conversion of a detached garage to office with a walkway link to house.

Decisions

1. Both appeals are dismissed and planning permission is refused for Appeal A and listed building consent is refused for Appeal B.

Preliminary Matters

2. The appeals relate to the same proposal under different but complementary legislation. To avoid duplication, I have dealt with the two schemes together, except where otherwise indicated. Both appeals are made against the Council's failure to determine the applications within the prescribed period. The Council has provided putative reasons for refusal, and this has informed my framing of the main issues for the appeals.
3. The proposal concerns a listed building within a conservation area (CA). As required by sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('The Act'), I have had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses; and I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (CA).
4. The applications were made retrospectively. The main parties appear to agree that the walkway link has been in place for some 10 years, such that it might benefit from enforcement immunity in terms of planning permission, although unauthorised works to listed buildings cannot become lawful over time. For the avoidance of doubt, it is not my role to determine whether the proposed

development (Appeal A) is lawful in whole or part. As a further point of clarity, whilst section 8(3) of the Act provides for 'retrospective' listed building consent being granted, this would only be effective from the date of consent rather than at any prior point in time. Therefore, Appeal B is therefore more accurately described as the retention or regularisation of the proposed works rather than 'retrospective' listed building consent.

5. Like the Council, I am bound to determine the proposal as submitted rather than as built. The proposal appears to be in general conformity with the submitted applications, save for some confusion regarding cladding materials for the walkway link. Although the application forms indicate UVPc/pvc cladding for the walls of the walkway, the Heritage Statement which accompanied the application refers to wooden cladding, painted white, as does the appellant's submissions to the appeal. It is clear from my own observations that the proposed structure is wooden, and I have therefore proceeded to determine the appeals on this basis.
6. The Council's Statement of Case responds to both appeals and makes clear there is no objection to the proposal to convert the detached garage. I find no reason to consider otherwise. Taking account of the statutory duties of the Act and the evidence before me, I find that this part of the proposal would preserve the special interest of the listed building and the character and appearance of the CA; and would not harm the significance of these designated heritage assets. Consequently, my consideration of the appeals focusses on the disputed part of the proposal, namely the proposed walkway link, where harm has been identified by the Council.

Main Issues

7. The main issues are the effects of the proposed walkway link upon the Grade II listed building, 'Old Thatch' (List Entry Ref: 1180598) known as 15 Lodge Lane and upon the character or appearance of the Keymer CA.

Reasons

Significance and special interest

8. The listed building dates from the 17th century or earlier and is a two-storey timber framed building with plaster and thatched roof. Other external materials identified in the listing description include some painted brickwork; a south facet with flints also painted; and casement windows. Insofar as related to the appeals, I find the significance and special interest of the listed building stems from its architectural details and historic form, as a fine example of a 17th century timber framed building of modest scale in the cottage style. The key contributors are its timber framed form and thatched roof, together with its traditional construction methods and materials.
9. The listed building has undergone various modifications over time, before and after the date of listing. Of most relevance is the single storey rear extension (after listing) and the detached garage building (before listing). The rear extension is sympathetic in form and materials, being of white painted brick with a thatched roof. The garage is a simple single storey form with a pitched roof, well set back from the highway and slightly behind the extended dwelling.

10. From the evidence before me, and my own observations, the CA was designated in 1989 and covers the historic core of the village of Keymer and the attractive approach from Ditchling along Lodge Lane where the variety of properties is given to be a key feature of the CA. Further, the listed building is one of the oldest properties within the CA and is distinctive from other buildings within it. The adjacent properties to the south are outside the CA.
11. Insofar as related to the appeals, I find the significance of the CA is primarily associated with the architectural details and traditional materials of its historic properties and their contribution to the street scene. Due to its location near the centre of the village, and front boundaries of low form, the appeal property appears prominently within the street scene and makes a positive contribution to the CA. The flank elevation of the extended appeal property is in public view from the highway, and from the neighbouring driveway which leads to the neighbouring dwelling at No 17, located to the rear of other properties along the street.

Effects

12. The proposed walkway is a narrow, simple 'lean-to' structure which runs along the rear elevation of the rear extension and does not harm the historic fabric of the original parts of the listed building. The appellant suggests that the walkway is a temporary structure in a large garden, akin to a shed. However, the structure is given to have been in existence for about 10 years; no element of the proposal is sought on a temporary basis; and it is not disputed that the walkway meets the definition of development. For these reasons, I consider the walkway to be a permanent structure which comprises an extension to the appeal building.
13. By forming a link, the walkway is not "disassociated" from the original building as the appellant suggests, but rather it increases the footprint and plan form of the extended property to include the detached garage. Consequently, the legibility of the original plan form of the listed building is further eroded by the proposal in cumulative terms.
14. As constructed, the walkway appears to be of timber, affixed to the rear extension and the garage corner by means of wooden battens. The external walls comprise wooden cladding and include timber windows facing the rear garden. The structure is painted white externally and internally to match the painted brick of the rear extension and other painted parts of the original building. The shallow mono pitch roof form is of corrugated polycarbonate sheeting, partly painted white. While the use of white paint complements the painted exterior of the property and timber is a traditional building material, the roof form and use of wooden cladding/shiplap and corrugated polycarbonate sheeting does not conform to the traditional materials of the original listed building nor those of its more recent rear extension.
15. When viewed from within the rear garden, the roof is fixed close to the underside of the thatched roof of the extension. While this conceals part of the walkway's unsympathetic roof form and material, it also conceals the timber eaves brackets under the thatch. At the southerly corner, the roof pitch appears to fall away from the garage to the underside of the thatch, closely abutting it and obscuring the eaves. This part of the walkway nearest the garage is visible within the street scene, where the jarring and awkward effect of this arrangement can be seen, despite the use of white paint.

16. The appellant is of the view that the walkway is not visible to any neighbour, which contrasts with my own observations. In any event, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether views of the building are available.
17. For the above reasons, the walkway results in an awkward addition that unacceptably erodes the legibility and modest plan form of the original listed building and therefore harms its special interest. The proposal also fails to respect the established character and appearance of the extended listed building. In turn, this harms the character and appearance of the CA, as the property is a key contributor to its significance. The relatively small scale of the walkway in comparison to the original or extended listed building and its plot does not overcome the harm that I have found.
18. Given the above, I find that the proposal would fail to preserve the special interest of the LB; and it would fail to preserve the character and appearance of the CA. This would harm the special interest and significance of these designated heritage assets.

Public benefits and balance

19. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Further, that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. I find the proposed works would amount to 'less than substantial' harm to the significance of these designated heritage assets and at the low part of that spectrum. Nevertheless, this harm is of considerable importance and great weight. In such circumstances, I am required to weigh this harm against the public benefits of the proposed works, including, where appropriate, securing its optimum viable use.
20. The appellant is of the opinion that the walkway provides shelter from the weather when accessing the home office within the converted garage; and space and is required for nurturing or growing plants for the appellant's large garden, which assists in mental well-being. In addition, the appellant states that the property has been open to the public as part of the National Gardens Open Day and Hassocks Garden Trail schemes to raise monies for charity, and this would not be possible without a greenhouse. Such social benefits attract positive weight in favour of the proposed walkway. However, it has not been demonstrated that the proposed walkway is the only way to achieve these objectives, nor the least harmful option. This limits the weight I can attach to these benefits. Any economic benefits during the construction phase would have been limited by the scale of the works.
21. Furthermore, there is no compelling evidence to demonstrate that the proposal is necessary to secure the optimum viable use of the property as whole, nor that the use of the property as a dwelling with a garden would cease if I were to dismiss the appeals. Consequently, the limited benefits of the proposal would not outweigh the harm I have found to which I am required to attach great weight.
22. I therefore conclude that on balance, the proposal would fail to preserve the special interest of the Grade II listed building; and fail to preserve or enhance the character and appearance of the CA. This would fail to satisfy the requirements of

the Act and the Framework. The proposal would conflict with Policies DP26, DP34 and DP35 of the Mid Sussex District Plan 2014-2031 and Policies 7 and 9 of the Hassocks Neighbourhood Plan. Taken together and among other things, these policies seek to ensure high quality and sensitively designed development which respects local character and the significance of designated heritage assets, taking account of factors including scale, form, design, and the use of traditional and complementary building materials. In respect of Appeal A, the proposed development would not be in accordance with the development plan.

Other Matters

23. Matters regarding the handling of applications are not determinative in my consideration of the appeals, which I have considered on their own planning merits. Although the appellant seeks a refund of application fees on the grounds of delay and non-determination by the Council, I have no powers to consider this matter. For the avoidance of doubt, the appellant has confirmed that no application for costs has been made with respect to either appeal.
24. While I note support for the proposal from the Parish Council, and an absence of objections from any interested parties, such matters do not render the proposal acceptable.

Conclusion

25. For the above reasons and having regard to all other matters raised, I conclude that the appeals should be dismissed. Consequently, planning permission for Appeal A is refused and listed building consent for Appeal B is refused.

J Moore

INSPECTOR