

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/2028	Case Officer:	Anna Tidey
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition 3 relating to planning application DM/26/0703 - to allow for tile changes.		
Site:	Strouds, Church Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AY, ,		
Validation Date	20 Aug 2026	Overall Expiry Date:	2 Oct 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	12 Oct 2026
Target Date:	15 Oct 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	12 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/2028

**Strouds, Church Lane, Horsted Keynes, Haywards Heath, West Sussex, RH17 7AY,
Variation of condition 3 relating to planning application DM/26/0703 - to allow for tile changes.
Mr And Mrs M McGahon**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer: The proposed amendment to the approved tile is not considered contentious.

PARISH COUNCIL OBSERVATIONS

Horsted Keynes Parish Council: No objection.

INTRODUCTION

This application seeks permission to vary condition 3 of planning permission DM/26/0703 to allow a change in the roof tiles for the partial reroofing of part of the cottage, as approved.

RELEVANT PLANNING HISTORY

DM/26/2029. Variation of condition 2 relating to listed building consent DM/26/0704 - to allow for tile changes. Yet to be determined.

DM/26/0704. Demolition of existing conservatory and lean-to outhouse, internal re-configuration to ground and first floor East Building, ground floor alterations to the West Building, altered fenestration to the East building together with internal and external alterations. Approved June 2026.

DM/26/0703. Demolition of existing conservatory and lean-to outhouse, internal re-configuration to ground and first floor East building, ground floor alterations to the West building, altered fenestration to the East building together with internal and external alterations. Approved June 2026.

04/00822/LBC. Alterations to existing entrance and lobby comprising removal of plastic rooflight and install new roof lantern onto existing flat roof. Remove existing entrance door, surround and window and form new entrance surround, door and frame. Approved May 2004.

08/00415/FUL. Conversion of roof space in double garage to study with six new rooflights and insulation to the interior of roof and floor. Approved April 2008.

02/01858/LBC. Replacement of existing door and window. Approved October 2002.

02/01418/LBC. Erection of a single storey timber glazed conservatory upon a dwarf wall. Approved August 2002.

02/01415/FUL. Erection of a single storey timber framed glazed conservatory upon a dwarf wall. Approved August 2002.

SITE AND SURROUNDINGS

Strouds is a Grade II Listed building on the corner of Church Lane in Horsted Keynes.

The older part of the house, referred in the description of the works as the West Building, dates back to the C16th and lies parallel to Church Lane, with a more modern attached annexe extension, referred in the description of the works as the East Building, which is located at the rear. This part of the building can be viewed from the driveway on entry to the house.

The property lies within the Conservation Area, in the built up area of Horsted Keynes, in the High Weald AONB/Landscape Area, the Ashdown Forest SPA and SAC and a Red Impact Risk Zone for Great Crested Newts.

APPLICATION DETAILS

This application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Condition 3 of planning permission granted under DM/26/0703, which reads as follows:

'3. The development works shall be carried out in accordance with the materials as detailed on the submitted application form, in the External Materials Schedule received on 27.05.2026 and as detailed in the Agent's emails, received on 25.06.2026 and 29.06.2026.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policies DP26 and DP34 of the Mid Sussex District Plan 2014 - 2031.'

The proposal is for an alternative tile to be used which is a fully handmade tile. The approved tile was a handcrafted plain Sussex Blend clay tile from Signature roofing. The proposed tile is a Spicer tile from their Benenden range. The application form states that the revised tile has a higher specification and is a better match to the existing roof tile.

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, the Horsted Keynes Neighbourhood Plan and Site Allocation Development Plan Document (DPD).

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.

The following policies are considered relevant when considering this application:

Mid Sussex District Plan

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

Relevant policies:

DP16 High Weald Area of Outstanding Natural Beauty
DP26 Character and design
DP34 Listed Buildings and Other Heritage Assets
DP35 Conservation Areas

Site Allocations Development Plan Document

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

There are no policies deemed relevant to this application.

Neighbourhood Plan

Horsted Keynes Neighbourhood Plan - made May 2023.

Policy HK4 Maintaining Local Character and Good Quality Design

Policy HK5 Infill Development and Domestic Extensions

Policy HK6 Conserving Local Heritage

Other Legislation

The Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

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.

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.

DPB1 Character and Design

DPB2 Listed Buildings and other heritage assets

DPC4 High Weald AONB

High Weald AONB Management Plan 2024-2029

The High Weald Housing Design Guide 2020

National Planning Policy Framework (NPPF) (August 2026)

ASSESSMENT

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove a condition associated with a planning permission. The Act states that '*On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

Whilst the result of this application would be to issue a new decision, so it is not considered necessary to go through all of the original planning issues in this report. It is only necessary to consider the issues related to the change in the planning condition that has been sought.

It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

The most significant issue to consider in this instance is the impact of the proposal upon the character and appearance of the listed building, and its setting within the Horsted Keynes Conservation Area and the High Weald National Landscape/AONB.

Policy DP26 of the District Plan relates to character and design. However, this policy has very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to Policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant to the consideration of the application. S. 66 states:

'Section 16 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states "In considering whether to grant planning permission [F1or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.'

District Plan Policy DP34 is relevant in the determination of this application. This has limited weight as it is materially inconsistent with the NPPF.

This application needs to be considered with reference to guidance contained in the NPPF and with regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the character or appearance of the Horsted Keynes Conservation Area, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The District Plan contains Policy DP35, which requires development to conserve or enhance the special character and appearance of Conservation Areas. This policy now has very limited weight as it is materially inconsistent with the NPPF and greater weight should be given instead to NPPF Policy HE9.

Section 20 of the NPPF is titled 'Conserving and enhancing the historic environment' and contains policies HE4, HE5, HE6 and HE9. Policy HE4 sets out that heritage asset should be conserved in a manner appropriate to their significance. Policy HE5 refers to assessing effects on heritage assets. Policy HE6 sets out that where harm to a heritage asset is identified it should be weighed against the public benefits resulting from the proposal. Policy HE9 refers specifically to Conservation Areas and sets out that development proposals should retain and conserve buildings or features which make a positive contribution to the character and appearance of the Conservation Area, where possible.

Also relevant in the determination of the application are Policies HK4, HK5 and HK6 of the Neighbourhood Plan which seek to maintain the local character of the village, encourage the use of good quality materials that complement the existing palette of materials and preserve and enhance the heritage assets and their settings. This accords with the aims of the NPPF heritage policies.

The application has been reviewed by the Council's Conservation Officer who considers that the proposed replacement tile is an acceptable substitute. It is considered that the revised roof tile will

preserve and enhance the Listed Building and accord with the aims of Policies DP16, DP26, DP34 and DP35 of the District Plan, NPPF Policy DP3, HE4, HE5, HE6 and HE9 and Neighbourhood Plan Policies HK4, HK5 and HK6.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

CONCLUSION

In conclusion, the proposed replacement tile is considered acceptable in design terms and is appropriate to preserve the character and appearance of the Listed building, and its wider setting in the Horsted Keynes Conservation Area and the High Weald National Landscape/AONB.

The revised roof tile will preserve and enhance the Listed Building and accord with the aims of Policies DP16, DP26, DP34 and DP35 of the District Plan, NPPF Policy DP3, HE4, HE5, HE6 and HE9 and Neighbourhood Plan Policies HK4, HK5 and HK6.

Consequently this application is recommended for approval, with conditions repeated from the planning approval under DM/26/0703.

Decision: Permission

Case Officer: Anna Tidey