

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/1879	Case Officer:	Rachel Richardson
Application Type:	Householder Application		
Proposal:	Replace current wooden windows in property with complete new casement windows in Solid Redwood with Solid Utile Hardwood cill with Heritage Double Glazed units.		
Site:	2 Church Cottages, Street Lane, Ardingly, Haywards Heath, West Sussex, RH17 6UN, ,		
Validation Date	2 Apr 2025	Overall Expiry Date:	2 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Jun 2025
Target Date:	28 May 2025	Recommending Officer Signature:	Rachel Richardson

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	10 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/1879

**2 Church Cottages, Street Lane, Ardingly, Haywards Heath, West Sussex, RH17 6UN,
Replace current wooden windows in property with complete new casement windows in Solid
Redwood with Solid Utile Hardwood cill with Heritage Double Glazed units.
Mr Giuseppe Briamonte**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

Conservation Officer: No objection.

Historic England: No advice offered.

TOWN/PARISH COUNCIL OBSERVATIONS

None received.

INTRODUCTION

Permission is sought to replace the wooden windows with heritage double glazed units.

RELEVANT PLANNING HISTORY

None.

SITE AND SURROUNDINGS

2 Church Cottages, is one half of a Grade II listed building located in a prominent position within the western part of the Ardingly Conservation Area, opposite the parish church. The Cottages date, according to the list description, to the 18th century. They are also within the settings of a number of adjacent listed buildings, including in particular Grade I listed St Peter's Church, located to the south west, and Jordan's Cottage to the south east, which is listed Grade II.

APPLICATION DETAILS

The current proposal is for the replacement of all of the existing single glazed timber framed casement windows to the property with double glazed timber windows.

The application is accompanied by a heritage statement which explains that the existing windows are rotting.

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 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:

DP12: Protection and Enhancement of Countryside
DP16: High Weald Area of Outstanding Natural Beauty
DP26: Character and Design
DP34: Listed Buildings and Other Heritage Assets
DP35: Conservation Areas

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

Ardingly Neighbourhood Plan (2013-2031) was made on 19 March 2015.

Relevant policies:

ARD5: Housing Design
ARD9: Heritage Assets

Other Legislation

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 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, 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:

DPC1- Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets
DPB3 - Conservation Areas

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) (December 2024)

ASSESSMENT

The main issues for consideration are

- o Design and character and impact on AONB
- o Whether the proposed alterations will protect the fabric and historic significance of the listed building and
- o whether the alterations proposed would conserve or enhance the special character of the conservation area.

Design, Character and AONB

One of the objectives of achieving sustainable development is to ensure that proposals '*contribute to protecting and enhancing our natural, built and historic environment*' (para 8, NPPF).

The site falls outside of the built up area (within the countryside). It is therefore necessary to consider the impact of the proposal in the local landscape in terms of the visual impact on the area.

Policy DP12 of the District Plan relates to the protection and enhancement of the countryside. In part it states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

o it is necessary for the purposes of agriculture; or o it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'

The supporting text sets out the following:

'The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there. At the same time, it seeks to enhance the countryside, support the rural economy by accommodating well designed, appropriate new forms of development and changes in land use where a countryside location is required and where it does not adversely affect the rural environment. It is therefore necessary that all development in the countryside, defined as the area outside of built up area boundaries, must seek to maintain or enhance the intrinsic beauty and tranquillity of the countryside.'

Para 187 (b) of the NPPF requires proposals to contribute to and enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside*'.

The site is within the High Weald Area of Outstanding Natural Beauty. The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CROW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CROW requires Local Planning Authorities to '*take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB*'.

The Levelling-up and Regeneration Act (2023) amended section 85 of the CROW Act, to create a new duty on relevant authorities to '*seek to further the purpose of conserving and enhancing the natural beauty of the area*' when discharging their functions in AONBs'. A similar ethos is found within The High

Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

Policy DP16 of the Mid Sussex District Plan relates to the AONB and states that:

'Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular:

- o the identified landscape features or components of natural beauty and to their setting;*
- o the traditional interaction of people with nature, and appropriate land management;*
- o character and local distinctiveness, settlement pattern, sense of place and setting of the AONB;*
- and*
- o the conservation of wildlife and cultural heritage'.*

The High Weald Management Plan and paragraph 189 of the NPPF are policies which seek to enhance the character of the settlement where viewpoints and spaces are preserved. The Dark Skies Technical Advice Note SPD has objectives to protect and maintain existing dark skies by minimising internal light spill and obtrusive external light pollution.

Policy DP26 of the District Plan relates to character and design. It states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- o optimises the potential of the site to accommodate development.'*

Policy ARD5 states:

'The Neighbourhood Plan requires all developments, including alterations to existing buildings, to be sympathetic of the character and scale of surrounding buildings and landscape.'

The Council's Design Guide sets out a number of design principles to deliver high quality, new development that responds appropriately to its context and is inclusive and sustainable. Within the Design Guide there is support for high quality buildings that minimise their environmental impact under principle DG37. Principle DG38 requires architectural integrity and a sense of place where the façade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings.

The proposed windows are considered to be acceptable in terms of the landscape character of the area and AONB. There would be no additional light spill or obtrusive light pollution as a result of this proposal and it would not therefore harm the dark skies.

The proposal is considered to be of an acceptable design, respectful of the traditional character of the dwelling and its rural setting.

The proposal is therefore considered to comply with Policies DP12, DP16 and DP26 of the Mid Sussex District Plan, ARD 5 of the Neighbourhood Plan, the design principles set out in the Design Guide, and the requirements of the NPPF.

Design, impact on the character of the area and heritage assets

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states *'In considering whether to grant planning permission (or 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'*.

Policy DP34 of the Mid Sussex District Plan relates, in part, to development affecting listed buildings:

'Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o Special regard is given to protecting the setting of a listed building;*
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric'.*

The application site is also within the West Hoathly Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area'.

Policy DP35 of the Mid Sussex District Plan relates to Conservation Areas:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*

- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area'.

Policy ARD 9 states:

'The Neighbourhood Plan requires development proposals affecting a listed building or conservation area or their setting to conserve or enhance the special quality and distinctive character of Ardingly.'

The Mid Sussex Design Guide SPD also seeks to ensure a high standard of design.

Prior to receiving the latest amended drawings, the Councils Conservation Officer commented as follows:

'Further comments on the above applications following the receipt of further plans and an updated heritage statement.

On the basis of the information within the heritage statement, I remain of the opinion that the replacement of the windows is not contentious in principle, as the existing units do not appear to be of any great age or interest. I also consider that the inclusion of slim-line double glazing will be in principle acceptable, as it would appear that this can be accomplished without a detrimental impact on the proportions or profile of the framing. However, the accurate plans now before us confirm that the proposal includes the introduction of a horizontal glazing or sash bar subdividing the casements into two vertically. In other circumstances, this might not be regarded as contentious but here it would mean that the windows to 2 Church Cottages would not remain consistent in appearance with those to its attached neighbour at no. 1. The consistency of elevational treatment is one of the defining characteristics of the cottage pair. I would therefore recommend that the application is revised to omit the glazing bar, so that the glazing pattern of the new windows matched the existing to this property and the neighbouring cottage.

I would be happy for this to be achieved by an amending condition if this is considered appropriate, e.g. 'The window design shall be amended to omit the horizontal sash or glazing bar in all cases. Prior to the commencement of works a detailed typical elevation to show this amendment shall be submitted to and approved in writing by the District Council. The works shall then be carried out according to these details.', with the standard reason.'

Following receipt of the amended drawings to remove the central horizontal glazing bar, the Conservation Officer now has no objections to the proposal. It is considered that the application has sufficient details to preclude the recommendation of planning conditions.

The Conservation Officers' comments are agreed with and the proposed replacement windows are considered to be compliant with the above relevant policies.

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.

PLANNING BALANCE AND CONCLUSION

The application is considered to be acceptable. The proposed alterations are considered to be respectful of the character and appearance of the rural location. It would not detract from the essential qualities and characteristics of the AONB. The proposed alterations would respect the historic fabric of the listed building and will conserve the character and appearance of the Conservation Area. The proposed development does not require BNG and will not have a significant effect on the Ashdown Forest SPA and SAC. The proposed development is compliant with all relevant policies as specified above in the report and it is recommended that permission be granted.

Decision: Permission

Case Officer: Rachel Richardson