

HERITAGE STATEMENT



Detailed Application for the Provision Of A 1200mm High Wooden Picket Fence
To The Front Public Highway Boundary

Located At 'Little White Gates' Black Hill, Lindfield, West Sussex, RH13 6RG

Planning Application: DM/ 26/ 1205

1.0 Introduction and Purpose

1.1 This Heritage Statement has been prepared by LM Associates Ltd on behalf of the applicant in support of planning application DM/26/1205 for the erection of a 1200mm high natural timber picket fence to the front (highway) boundary of Little White Gates, Black Hill, Lindfield, with laurel hedging planted behind it. It responds to the request of the Council's Conservation Officer for an appropriately detailed heritage statement considering the effect of the proposal upon the settings of the listed buildings on the opposite (north-east) side of Black Hill, namely Little Pelham, Nos 1-6 Pelham Place Cottages, Partridges and Black Hill House.

1.2 It is noted for accuracy that the building referred to by the Conservation Officer as "Black Hill House" is entered on the National Heritage List for England as "The Hall (formerly listed as Black Hill House)" (NHLE 1025481). It is assessed under that entry below.

1.3 This Statement follows the staged approach to the assessment of the impact of development within the setting of heritage assets set out in Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets (2nd Edition, December 2017) ("GPA3"). In accordance with paragraph 200 of the National Planning Policy Framework (December 2024) and the Planning Practice Guidance, the level of detail provided is proportionate to the importance of the assets affected and no more than is sufficient to understand the potential impact of what is, by any measure, a modest domestic boundary treatment.

2.0 The Site and the Proposal

2.1 Little White Gates is a detached dwelling occupying an established residential curtilage on the south-west side of Black Hill, Lindfield. Black Hill is a well-treed residential road rising from the northern end of Lindfield Common and the village High Street, characterised by detached dwellings of varied age and design set within generous plots, the majority of which are enclosed to the highway by a mixture of hedgerows, close-boarded and post-and-rail fencing, brick and stone walls, and entrance gates.

2.2 The site lies within the Lindfield Conservation Area. In addition to the settings of the listed buildings identified by the Conservation Officer, the effect of the proposal on the character and appearance of the Conservation Area is therefore also assessed in this Statement.

Planning history

2.3 Until 2025, the frontage of Little White Gates was enclosed by a thick evergreen hedge maintained at approximately 1.8-2.4m (6-8ft) in height. The removal of a domestic garden hedge does not constitute development and required no consent of any kind; hedges cannot be the subject of a Tree Preservation Order and the Hedgerows Regulations 1997 do not apply to garden hedges. The applicant subsequently erected a 1.8m close-boarded fence on the boundary which, exceeding the 1m height permitted adjacent to a highway under Class A, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, was the subject of enforcement action and has been removed in full. The frontage currently lies open, with a newly planted laurel hedge. The present application is a prospective proposal for a substantially reduced and redesigned boundary treatment.

The proposal

2.4 The proposal comprises a standard picket fence of 1200mm maximum height above adjacent ground level, erected on the front boundary line, with laurel hedging planted immediately behind (on the garden side of) the fence. In response to the Conservation Officer's first two queries, the details are confirmed as follows:

- Material and finish: a standard timber picket fence of traditional construction, comprising vertical pales fixed to horizontal rails on timber posts, with spacing between the pales in the conventional manner, in preservative treated natural undecorated timber which will be left to weather naturally to a recessive silver-grey. No paint, stain or applied finish is proposed.
- Relationship of hedgerow and fence: the newly planted laurel hedging is to be RETAINED. The fence will be erected on the boundary line, with the laurel hedging positioned immediately behind it (on the garden side). On maturity the evergreen laurel will rise above and read through and over the open pales, so that the frontage will again be experienced as a predominantly green, evergreen boundary – replicating the character of the former evergreen hedge – with the low picket fence as a traditional foreground element. The retained hedging is shown on the amended proposed site plan accompanying this Statement.

The correct baseline for assessment

2.5 In assessing the effect of the proposal upon the settings of the listed buildings, the correct comparison is with the lawful baseline position, not with the frontage as it happened to appear when enclosed by the former evergreen hedge. The former hedge enjoyed no statutory protection and could lawfully be removed at any time without consent; equally, the frontage could lawfully be left entirely open, enclosed by planting of any height, or enclosed by a solid fence or wall of up to 1m adjacent to the highway as permitted development. The proposal before the

Council exceeds that permitted development fallback by only 200mm, and does so in a form – an open-paled picket fence – that is materially more visually permeable and more traditional in character than the solid 1m enclosure the applicant could construct without any permission at all.

2.6 A low picket fence with a hedge behind it is a quintessentially traditional cottage boundary treatment, of a kind found throughout Lindfield and in immediate proximity along Black Hill, where frontages are enclosed by hedges, fences, walls and gates of varying heights and materials.

3.0 Legislative, Policy and Guidance Framework

Legislation

3.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to 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. “Preserving” in this context means doing no harm (*South Lakeland DC v Secretary of State for the Environment* [1992]). Section 72(1) of the same Act requires that, with respect to buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

3.2 Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 grants permitted development rights for gates, fences, walls and other means of enclosure up to 1m in height where adjacent to a highway used by vehicular traffic, and up to 2m elsewhere; these rights apply equally within conservation areas. This defines the lawful fallback enclosure of the frontage referred to at paragraph 2.5, against which the additional 200mm now proposed falls to be assessed.

National policy and guidance

3.3 The National Planning Policy Framework (December 2024) is relevant, in particular: paragraph 200 (applicants to describe the significance of heritage assets affected, including any contribution made by their setting, in a level of detail proportionate to the assets' importance and no more than sufficient to understand the potential impact); paragraph 212 (great weight to be given to the conservation of designated heritage assets); paragraph 213 (any harm to significance, including from development within a setting, requires clear and convincing justification); and paragraph 215 (less than substantial harm to be weighed against public benefits). The Glossary defines setting as the surroundings in which a heritage asset is experienced, noting that its extent is not fixed and that elements of a setting may make a positive or negative contribution to significance, or none at all.

3.4 Historic England's GPA3 (2017) sets out a five-step staged approach: (1) identify which heritage assets and their settings are affected; (2) assess the degree to which those settings contribute to the significance of the assets, or allow that significance to be appreciated; (3) assess the effects of the proposed development on that significance or appreciation; (4) explore ways to maximise enhancement and avoid or minimise harm; and (5) make and document the decision and monitor outcomes. Steps 1-4 are matters for the applicant and are addressed in Sections 4-6 below; Step 5 is a matter for the decision-maker. GPA3 confirms (paragraph 9) that setting is not itself a heritage asset, and that the importance of setting lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.

Development plan

3.5 Policy DP34 (Listed Buildings and Other Heritage Assets) of the Mid Sussex District Plan 2014-2031 requires development to protect listed buildings and their settings, informed by a proper understanding of significance. Policy DP35 (Conservation Areas) requires development within conservation areas to conserve or enhance their character and appearance. Policy DP37 (Trees, Woodland and Hedgerows) supports the retention of hedgerows, which is relevant given the retention of the newly planted frontage hedging. The policies of the Lindfield Neighbourhood Plan relating to design and local character are also acknowledged, together with the emerging District Plan 2021-2039, to which weight will be apportioned in accordance with NPPF paragraph 48.

4.0 Step 1 – Identification of Affected Heritage Assets

4.1 The heritage assets identified by the Conservation Officer, all Grade II listed buildings situated on the north-east side of Black Hill opposite and obliquely opposite the application site, are set out below. The nearest listed building lies approximately 20m from the application boundary, separated by the carriageway, verges and its own front boundary enclosure. In addition, the site lies within the Lindfield Conservation Area, which is itself a designated heritage asset and is assessed accordingly. No other designated or non-designated heritage assets are considered to have a setting capable of being affected by a domestic boundary fence at this location, given the scale and nature of the proposal.

Asset Name	Ref No.	Grade	Summary
1-6 Pelham Place	1960	Grade II	House of c.1825, former millmaster's house associated with William Allen's industrial school community. Listed 06.04.1970 with special value.
1-6 Pelham Place (Gables)	1462	Grade II	Single-storey L-shaped stuccoed gables of c.1825 with hipped slate

			; former workshops and dormitories of William Allen's Quaker industrial school. Listed 04.1970 with group value.
Partridges	1796		House of c.17 or earlier origin; timber-framed building altered in the early twentieth century, clad in weather boarding with a tiled roof. Listed 06.04.1970 with group value.
Black Hill (formerly Black Hill House)	15481		Stuccoed villa of c.1830 with hipped roof and Neo-Classical detailing. Listed 06.04.1970 (amended 02.1987) with group value.

5.0 Step 2 – Significance and the Contribution of Setting

Little Pelham and Nos 1-6 Pelham Place Cottages

5.1 These two entries form a related group of c.1825, being the surviving buildings of the industrial school community established at Lindfield by the Quaker philanthropist and social reformer William Allen (1770-1843). Pelham Place Cottages comprise the former workshops and dormitories of the school, now an L-shaped single-storey stuccoed range; Little Pelham was the schoolmaster's house. Their significance is principally historic and associative – as rare surviving physical evidence of an early nineteenth-century philanthropic educational and “cottage and two acres” smallholding experiment – together with the architectural interest of their restrained late-Georgian character and their group value with one another.

5.2 The contribution of setting to that significance derives chiefly from: (i) the functional and visual inter-relationship between the two entries themselves; (ii) their immediate garden plots and road frontage onto Black Hill, from which their principal elevations are appreciated; and (iii) more diffusely, the historic relationship with the wider landholding of Allen's community. The domestic plots on the opposite, south-west side of Black Hill – including the application site – form part of the general residential surroundings in which the assets are experienced, but make at most a neutral contribution to significance. They post-date the assets' period of primary significance, contain no fabric or features associated with Allen's community, and are already characterised by suburban boundary enclosures of walls, fences and hedges.

Partridges

5.3 Partridges is a house of seventeenth-century or earlier origin, a timber-framed building sympathetically altered and extended in the early twentieth century, clad in weatherboarding beneath a tiled roof. Its significance is architectural – as a vernacular timber-framed Wealden

building with attractive Edwardian embellishment – and historic, as evidence of the early, pre-suburban development of Black Hill. Setting contributes to this significance principally through its garden plot and its frontage relationship to Black Hill, and through group value with the neighbouring listed buildings on the same side of the road. The opposite side of the road forms part of its general visual surroundings only.

The Hall (formerly listed as Black Hill House)

5.4 The Hall is a stuccoed villa of c.1830 with a hipped slate roof, refined Neo-Classical detailing including cast-iron flower guards and a pilastered porch, and a largely intact early nineteenth-century interior. Its significance is primarily architectural, as a polite Regency-character villa, with historic interest as part of the early nineteenth-century development of Black Hill contemporary with the Allen group. The principal contribution of setting arises from its own grounds and its presentation to Black Hill; the residential plots opposite are incidental to that significance.

The Lindfield Conservation Area

5.5 The Lindfield Conservation Area embraces the historic village, and in this location its character derives from the sequence of listed and unlisted period dwellings ascending Black Hill from the Common, set within well-planted plots behind a varied but consistently domestic pattern of frontage enclosures – hedges, low walls, fences and gates – within a mature, well-treed streetscape. The application site contributes to that character through its established plot pattern and its frontage to the street; the boundary treatment of the frontage is the element of the site through which that contribution is chiefly made.

Summary of the contribution of the application site

5.6 Applying the GPA3 Step 2 checklist, the application site frontage forms a minor and entirely typical component of the listed buildings' wider surroundings: it is one of a continuous sequence of enclosed domestic frontages on the south-west side of Black Hill. It affords no designed, historic or associative relationship with any of the four assets, is not part of any designed view to or from them, and its established pattern of enclosure is wholly characteristic of the street. Its contribution to the significance of the identified listed buildings, and to the ability to appreciate that significance, is accordingly neutral. Its contribution to the character and appearance of the Conservation Area is that of an ordinary enclosed residential frontage – a contribution presently diminished by the open state of the boundary following removal of the previous fence.

6.0 Step 3 – Assessment of the Effect of the Proposal

6.1 The proposal is a low, visually permeable picket fence of 1200mm in height, in natural timber, on the applicant's side of the highway, with laurel hedging planted behind it. Its effects on the settings of the identified assets are assessed against the attributes identified in GPA3

(location and siting; form and appearance; permanence; and wider effects such as noise, activity and lighting), by comparison with the lawful baseline identified at paragraph 2.5:

- Location and siting: the fence will sit wholly within the established residential curtilage of Little White Gates, on the alignment of the existing frontage boundary. It does not encroach upon the carriageway, verge or any land historically or functionally associated with the listed buildings, and - at 1.2m in height with open pales - it is incapable of interrupting any view of the listed buildings, whose principal elevations are in any event appreciated from the public highway directly in front of them.
- Form and appearance: a low natural-timber picket fence backed by hedging is among the most traditional and contextually sympathetic boundary treatments available, entirely at home opposite vernacular and late-Georgian listed buildings. The open pales are visually permeable, the natural timber will weather to a recessive silver-grey, and as the evergreen laurel matures it will rise above the fence so that the frontage is once again experienced as a predominantly green boundary - restoring, in evergreen form, the character of enclosure historically provided by the former evergreen hedge. The proposal is more modest in height, more permeable and more traditional in character than the solid 1m fence or wall the applicant could erect without any planning permission.
- Permanence and reversibility: the fence is a lightweight, wholly reversible structure involving no groundworks of consequence and no loss of historic fabric anywhere.
- Wider effects: the proposal generates no noise, activity, traffic, lighting or change of use. There is no change to the manner in which any of the four listed buildings is used, approached, understood or experienced.

6.2 It follows that the proposal will preserve the settings of Little Pelham, Nos 1-6 Pelham Place Cottages, Partridges and The Hall. The elements of setting which positively contribute to the significance of those assets - their inter-relationship as a group, their own plots and their frontage presentation to Black Hill - are untouched, and the ability of the public to appreciate that significance from Black Hill is unaffected. Measured against the lawful baseline - a frontage which could at any time lawfully be open, hedged to any height, or enclosed by a solid 1m fence or wall - the marginal effect of a permeable picket fence 200mm taller is imperceptible in heritage terms. Indeed, relative to the frontage as it presently stands, the proposal - a traditional picket fence with a managed evergreen laurel hedge establishing behind it - represents a positive contribution to the character of the street scene within which the assets are experienced. The effect on the significance of each asset is assessed as neutral to minor beneficial: no harm arises, whether substantial or less than substantial. For the same reasons, the proposal preserves - and, relative to the presently open frontage, enhances - the character and appearance of the Lindfield Conservation Area, satisfying section 72(1) of the 1990 Act and according with Policy DP35.

6.3 For completeness, if the Council were nonetheless to identify any harm, it could only rationally be characterised as at the very lowest end of “less than substantial” for the purposes of NPPF paragraph 215, and would fall to be weighed against the benefits of securing – by condition if the Council considers it necessary – a traditional boundary treatment and a managed evergreen hedge frontage which the Council could not otherwise require, given that the fallback position requires no permission at all. The clear and better view, however, is that the statutory duties under sections 66(1) and 72(1) are satisfied because the settings of the listed buildings and the character and appearance of the conservation area are preserved.

7.0 Step 4 – Maximising Enhancement and Minimising Harm

7.1 The scheme has been designed to minimise visibility and reinforce local character following the removal of the previous unauthorised fence: the height is reduced to 1200mm; the solid boarding is replaced with open, visually permeable pales; the timber is natural and will weather to a recessive tone; and the laurel hedge planted behind the fence will be allowed to mature as the dominant visual element of the frontage, restoring in evergreen form the enclosure historically provided by the former hedge. The applicant would accept suitably worded conditions securing (i) the fence in strict accordance with the approved drawings, and (ii) the retention, maintenance and management of the hedging, with replacement of any plants that fail within the first five years. Such conditions would deliver a positive, enforceable landscape outcome for the settings of the listed buildings and the conservation area that the permitted development fallback could never secure – a point which weighs in favour of the grant of permission.

8.0 Conclusion

8.1 This Statement has followed the staged approach in Historic England’s GPA3 at a level of detail proportionate to a householder proposal for a boundary fence, as required by NPPF paragraph 200. The four Grade II listed buildings identified by the Conservation Officer derive their significance from their architectural and historic interest and from those elements of setting comprising their own plots, their frontages to Black Hill and in the case of the Allen group, their inter-relationship. The application site makes a neutral contribution to that significance, and contributes to the character and appearance of the Lindfield Conservation Area as an ordinary enclosed residential frontage.

8.2 The proposed 1200mm natural timber picket fence, with laurel hedging establishing behind it, is a modest, reversible and quintessentially traditional boundary treatment – lower, more permeable and more sympathetic than the solid 1m enclosure the applicant could erect as permitted development without any application at all. It preserves the setting of each listed building, preserves and enhances the character and appearance of the Lindfield Conservation Area, and causes no harm to the significance of any designated heritage asset; relative to the frontage as it presently stands it makes a positive contribution to the street scene within which

those assets are experienced. The proposal therefore accords with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 212-215 of the NPPF and Policies DP34 and DP35 of the Mid Sussex District Plan, and there is no heritage impediment to the grant of planning permission.

GRM/ O226COI/ July 2026