

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2174	Case Officer:	Emily Wade
Application Type:	Listed Building Consent		
Proposal:	Proposed gutter replacement to the front elevation.		
Site:	Clare House, Lewes Road, Ashurst Wood, East Grinstead, West Sussex, RH19 3SY, ,		
Validation Date	27 Aug 2025	Overall Expiry Date:	3 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Oct 2025
Target Date:	22 Oct 2025	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:	17 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2174

**Clare House, Lewes Road, Ashurst Wood, East Grinstead, West Sussex, RH19 3SY,
Proposed gutter replacement to the front elevation.**

Mrs Natasha Christian

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

N/A

TOWN/PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

Clare House is with its attached neighbour Manor House, one half of a Grade II listed early 19th century villa in a semi-rural position outside Ashurst Wood. The current proposal is for replacement of the existing original cast iron gutter to the front elevation on a like-for-like basis, with introduction of a new external down pipe to the side of the building.

RELEVANT PLANNING HISTORY

DM/25/2177 Parallel listed building consent application for the replacement of the front gutter to Manor House.

SITE AND SURROUNDINGS

Clare House is with its attached neighbour Manor House one half of a Grade II listed early 19th century villa in a semi-rural position outside Ashurst Wood.

APPLICATION DETAILS

The current proposal is for replacement of the existing original cast iron gutter to the front elevation on a like-for-like basis, with introduction of a new external down pipe to the side of the building. A parallel application for the replacement of the continuation of the front gutter to Manor House has been received and is under consideration.

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 Ashurst Wood 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:

DP34 Listed Buildings and Other Heritage Assets.

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

No relevant policies.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act

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 (Regulation 19) is currently at Examination and 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:

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) (December 2023)

Paragraphs 210, 212-215 of the NPPF are relevant and state that:

'210. In determining planning applications, local planning authorities should take account of:

- o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- o the desirability of new development making a positive contribution to local character and distinctiveness.*

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c) and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

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

District Plan Policy DP34 will be relevant, and states that:

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

- Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric...'*

The current proposal is for the replacement on a like-for-like basis of the original cast iron guttering to the front elevation of Clare House. The existing guttering is in a poor condition and is not fit for purpose. In addition, it is proposed to install a cast iron downpipe in a discrete position to the side elevation of the building, to replace an internal downpipe which has been leaking, resulting in damage to the house's fabric. These works are not considered contentious.

It is noted that a parallel application for listed building consent for the replacement of the continuation of the gutter across the façade of Manor House, the attached neighbour, has been received. As the Council would have no control over the simultaneous implementation of the two schemes, each must be considered on its own merits. Whilst the principle of the consistent replacement of the guttering is welcomed, the replacement of the section to Clare House only would not be considered harmful, and therefore there are not considered to be grounds for concern in this regard.

The proposal is therefore considered to preserve the special interest of the listed building, meeting the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

PLANNING BALANCE AND CONCLUSION

It is recommended that listed building consent is granted.

Decision: Permission

Case Officer: Emily Wade

