



WHALEBACK

DESIGN, ACCESS, HERITAGE AND PLANNING STATEMENT

Nether Walstead

ADDRESS

Nether Walstead, East Mascalls Lane

Haywards Heath RH16 2QJ

DATE

December 2024

REVISION

1

WHALEBACK LTD

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Introduction

Whaleback Ltd is instructed to prepare a Design, Access, Heritage and Planning Statement for works proposed at Nether Walstead, a Grade II listed building.

The proposals involve the replacement and installation of new gateways and gates along the long driveway. The driveway leads to Nether Walstead and three other separate dwellings: The Cottage, Hindover Cottage and Keepers Cottage which were historically part of the landholding of Nether Walstead.

The driveway comes off East Mascalls Lane and travels southwards to Nether Walstead. It splits into two approximately 50m north of the house and this secondary arm of the driveway leads to the three other cottages. A public right of way crosses the site approximately a third of the way down the driveway with a gate either side and continues in a south-easterly manner past Nether Walstead but adjacent to the south western boundary of Hindover Cottage and Keepers Cottage.

The proposal includes the replacement of the existing most northerly gateposts that mark the entrance to all properties and the public right of way and the installation of a second gateway and two further gates to separate and demarcate the different land boundaries across the separate houses.

The design of the gates has been led by an assessment of the historical development and significance of the buildings and the site and its surroundings. This analysis draws upon historical sources from the West Sussex Records Office, the planning history, and direct observation. This informed understanding has been integral to shaping the design approach and its justifications.

This document further articulates the design principles and concepts applied to the gates’ design demonstrating how it respects the property’s special architectural and historical significance, and its broader setting.



Aerial view of Nether Walstead and neighbouring cottages.

Context and site description

The site is a large private dwelling situated at the southern end of a long private drive accessed off East Mascalls Lane. It is situated within the parish of Lindfield and falls under the administration of Mid Sussex District Council.

The surrounding area is rural with dwellings dispersed between large areas of open undeveloped land with large groups of trees interspersed across the area.

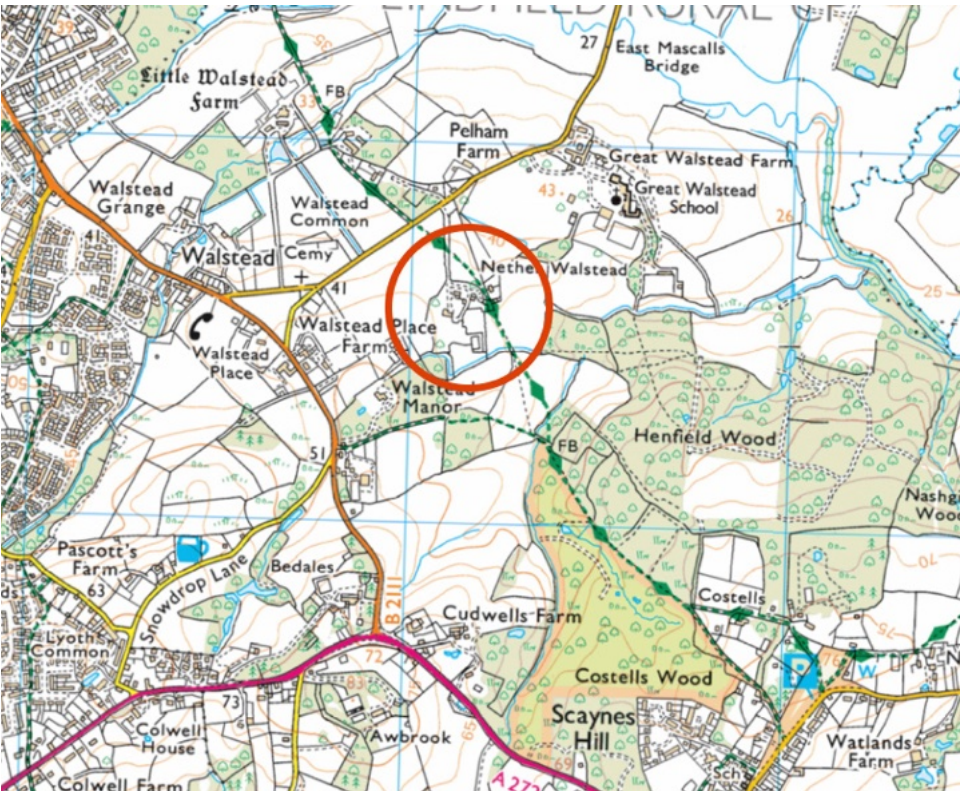
Two timber posts are located at the entrance to the driveway, alongside a 4-bar fixed section of fence over the grass verge. All components are constructed of white-painted timber. There is name board beside the fence posts.

The house is Grade II listed (National Heritage List Number 1180891) and is described as:

The original portion is of two storeys and attic, with two sets of dormers, and is of three bays. It is fronted with weather-boarding and stands on a red brick base. The back elevation is of red brick with a narrow gabled projection of three storeys. The modern additions are to the west and an L-wing to the north. Again these are in weather-boarding on red brick plinths or red brick to the ground floor level. The windows throughout the building are casements.

There is a massive brick chimney breast at the east end, and subsidiary chimneys to the western end of the original portion as well as two additional chimneys in the C19 and C20 sections. All is under a tiled roof

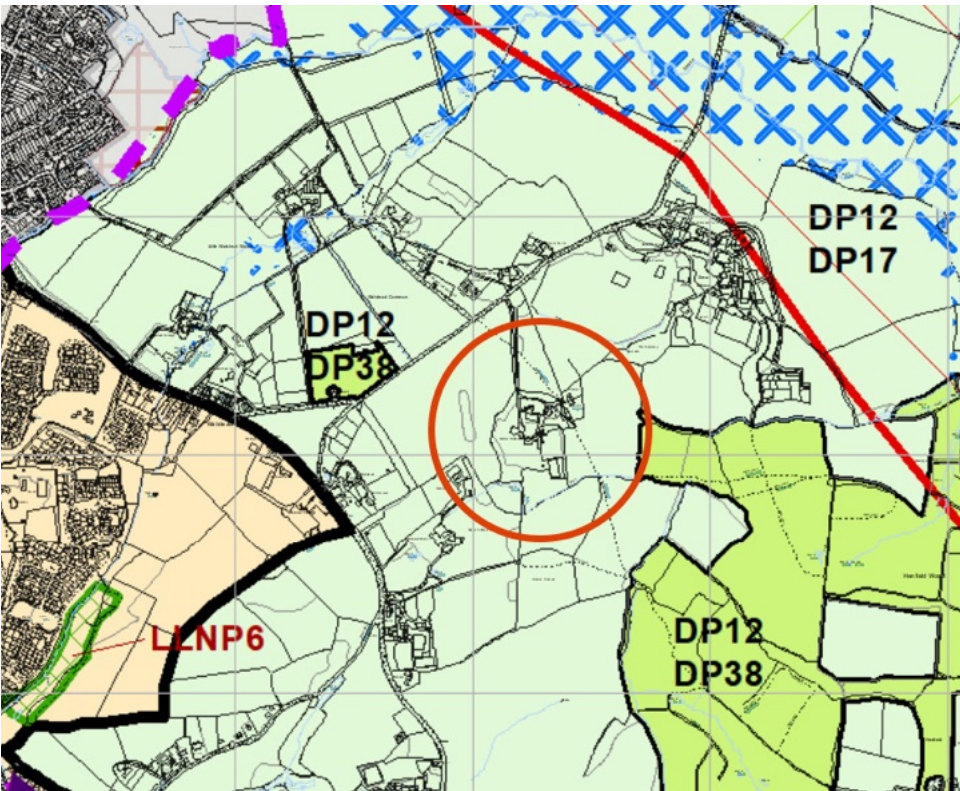
The interior was not inspected.



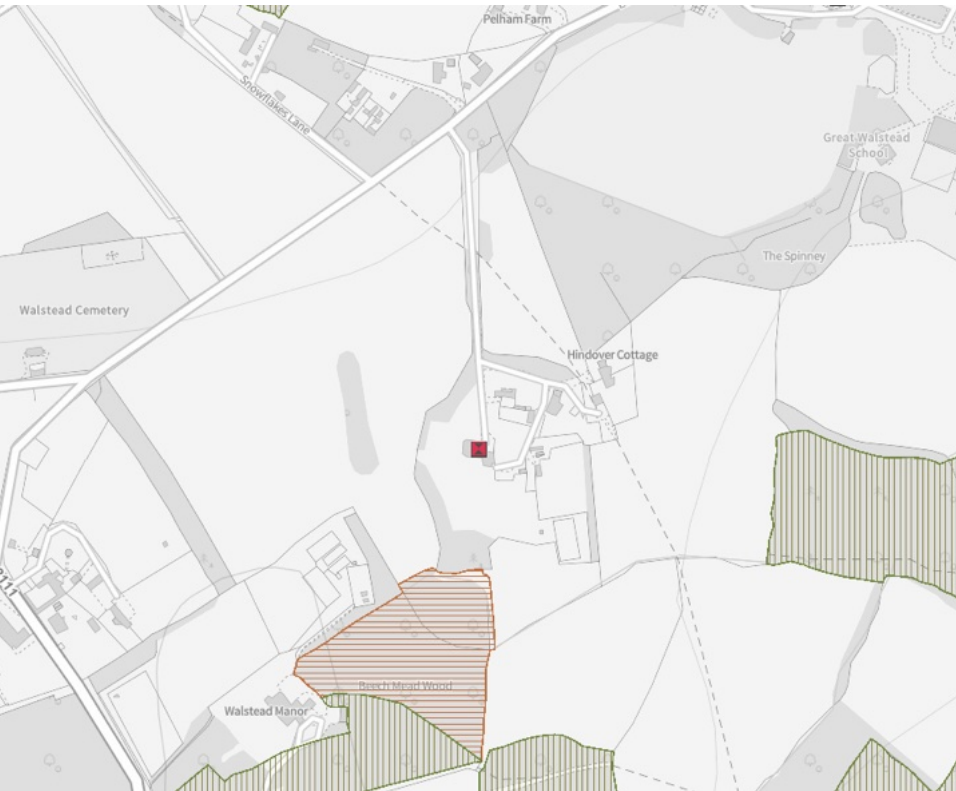
Ordnance survey map of surrounding area



Map of immediate context



Mid Sussex Policy Map



Magic map of listed buildings and ancient woodlands

Context and site description



The start of the driveway looking north



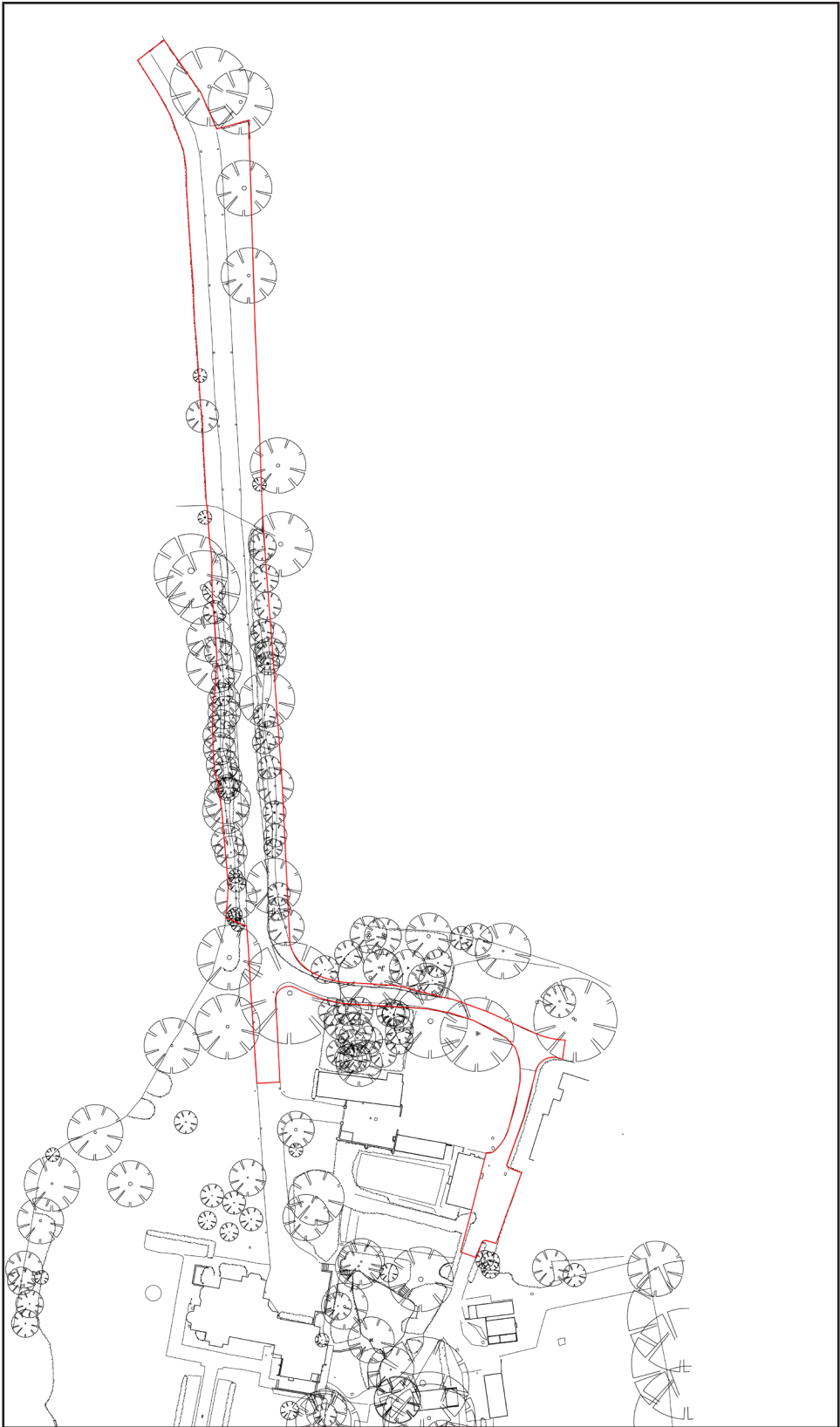
The driveway looking north just before the split to the east



The driveway crossed by the public footpath



The split in the driveway



Location plan

Historical development and significance

The house at Nether Walstead is first mentioned in a document dating back to 1631 when it is recorded as belonging to Leonard Brett. The research undertaken by Peter Bushell has charted its various historic owners, coupled with map regression analysis and on site observations it is possible to see how the house evolved from a rustic farmhouse into a country house of some size, reflecting broader changes in architectural taste and social aspiration in the early twentieth century. This transformation is evident not just in the architecture of the house itself but also in the transformation of the agricultural building group into an ancillary service yard.

For much of its history, the house likely served both residential and agricultural purposes. As a farmhouse, it would have evolved primarily in response to practical needs, while some elements may have reflected changing aesthetic tastes. While the house underwent some small changes in the 19th century, the greatest changes took place in the late 19th/early 20th century when the house underwent considerable expansion. These changes coincide with the house evolving to become more of a gentlemen’s country residence. In 1888, Nether Walstead was purchased by Sills Clifford Gibbons, a prosperous dentist from Burgess Hill and the son of a senior clerk in the House of Commons. Following the death of his wife, Clifford Gibbons sold his previous residence, Great Walstead, and purchased Nether Walstead. Although it is not known when Clifford Gibbons sold the house, sales particulars from 1892 describe the property as a “very valuable freehold and sporting estate” to be sold at auction. The estate is described as:

“A commodious and comfortable farmhouse, built of brick and timbered, and roofed with tiles and Sussex stone, containing 2 sitting rooms, kitchen, 2 sculleries, dairy, pantry, and 2 underground cellars, together with 6 bedrooms and 2 attics.”

The farm buildings are noted as compact and situated near the house, including a cart shed, stables, and cattle sheds. There are also two recently built labourers’ cottages, alongside a keeper’s cottage and kennels. Whether the house was actually sold in 1892 is unknown.

It is understood that the house was extensively remodelled and extended in the early twentieth century, prior to 1904. Plans of this work have not been found but the building fabric indicates that this involved the addition of a substantial extension to the house’s west end, the addition of the porch and other works to the pre-existing dwelling. Some small further changes to the house were made in the early part of the 20th century.

Historic maps show that the approach to the house was from the north off East Mascalls Lane and initially led to the group of agricultural buildings which lie to the north of the house. The first edition Ordnance Survey map of 1875 shows the driveway being straight off East Mascalls Lane. The public right of way is clearly visible on the first edition map. On the second edition Ordnance Survey map of 1897, the driveway is shown adopting a slightly curved approach. On these earlier maps, the driveway leads exclusively to Nether Walstead and its associated outbuildings as a single group. The first evidence of the driveway splitting appears on the third edition Ordnance Survey map of 1910, showing a branch to the east providing access to the cottages. This occurs at the point where, in earlier maps, the driveway is shown terminating at the Nether Walstead service buildings. A second branch, slightly south of the first fork, leads to the coach house, while the main driveway continues to the principal residence. These branches appear to

respect historic tree locations, carefully integrating with natural features.

The driveway and road arrangement changes slightly further commensurately with the curtilages of the cottages to provide access to them. The current layout identifies the routes and buildings belonging to Nether Walstead and the separate cottages.

SIGNIFICANCE

As a Grade II listed building, the house is significant. The driveway forms part of the setting of the house and has evolved in line with changes to the house, forms of transport and the ownership of the other buildings. The driveway has retained its primary layout as a tree-lined avenue.

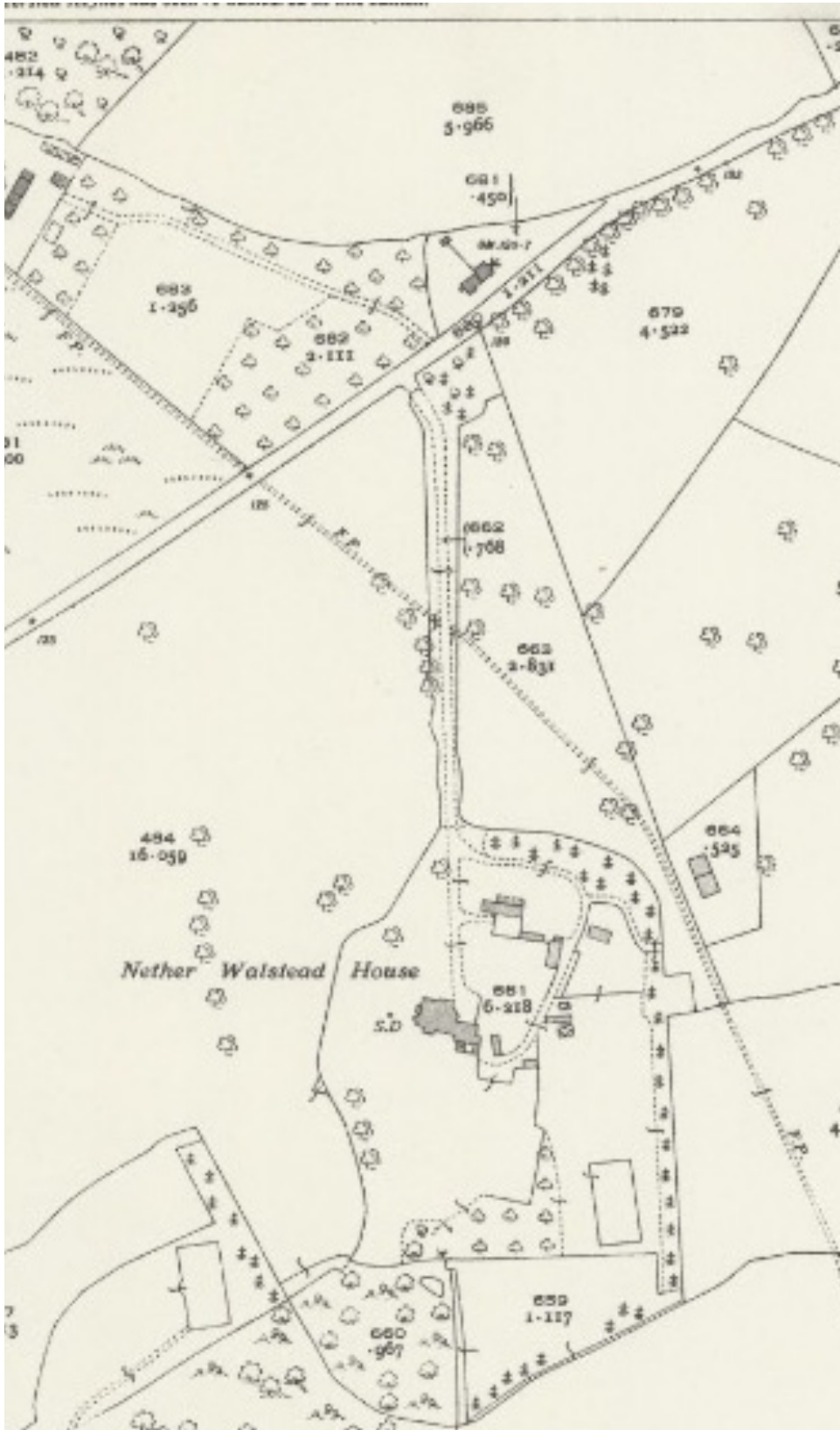


First edition Ordnance Survey map of 1875

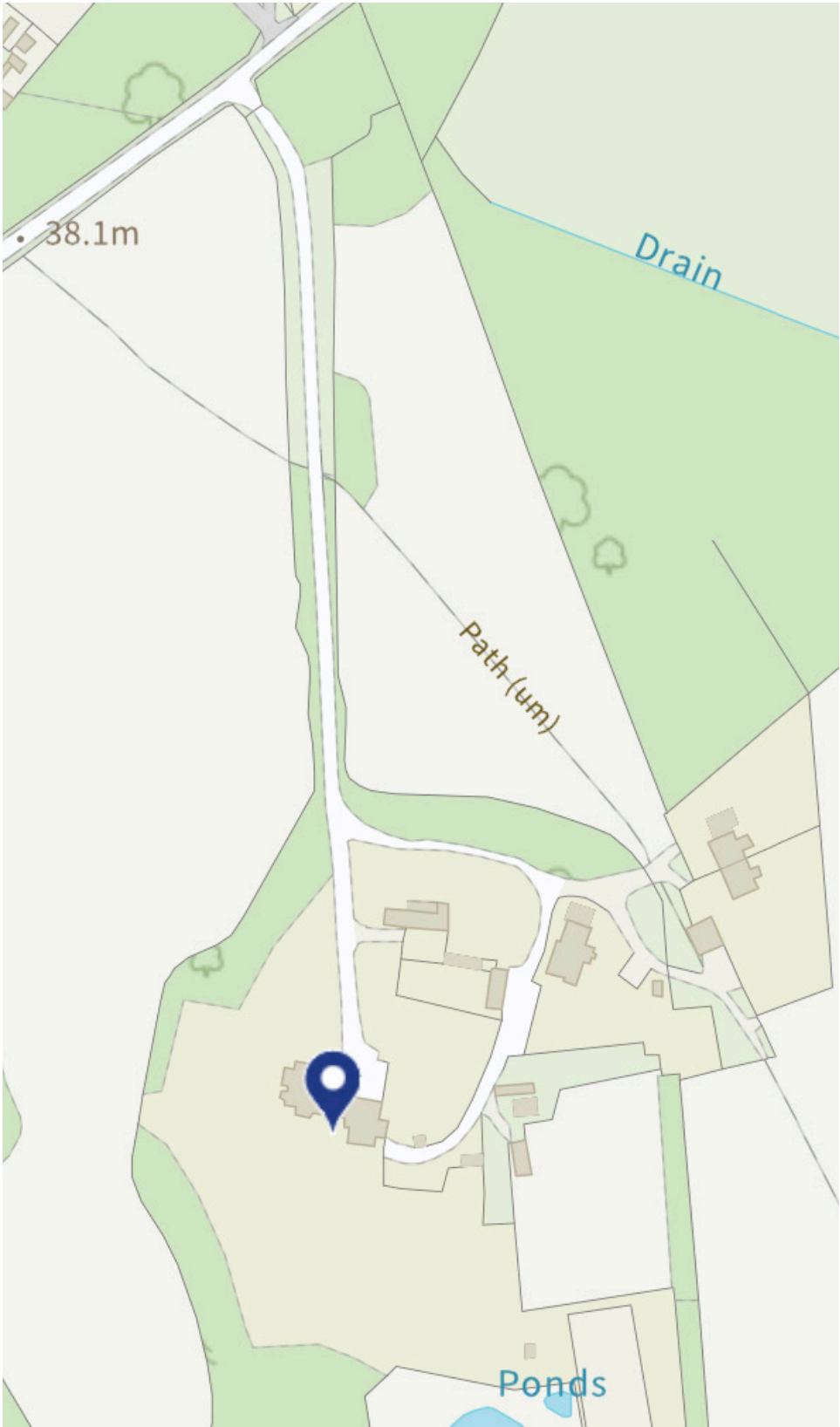
Historical development



Third edition Ordnance Survey map of 1910



Ordnance Survey map of 1946



Existing driveway layout

Proposals

The proposals are for the replacement of the existing gateway at the north end of the driveway, and the installation of a further gateway and two gates.

GATEWAY 1

The first gateway will replace the existing fence posts at the entrance to the driveway. Historically there was a five-bar diamond wide gate, but only the posts and fixed section remain. The new gate will include two new painted posts on either side, painted boards on either side, a new name board signalling a private road and the names of the individual properties accessed via the driveway on the left hand side. There will be 3 rows of granite setts in the ground. The span of the gate will be 5.0m.

GATEWAY 2

The second is to be located just beyond the public right of way and will help to clarify the semi-public area from the purely private areas. Like the first gate it will have two painted posts either side, a private sign on the left and two further shorter painted posts. There will also be three rows of granite setts in the ground. The span of the gate will be 5.0m.

GATE 3

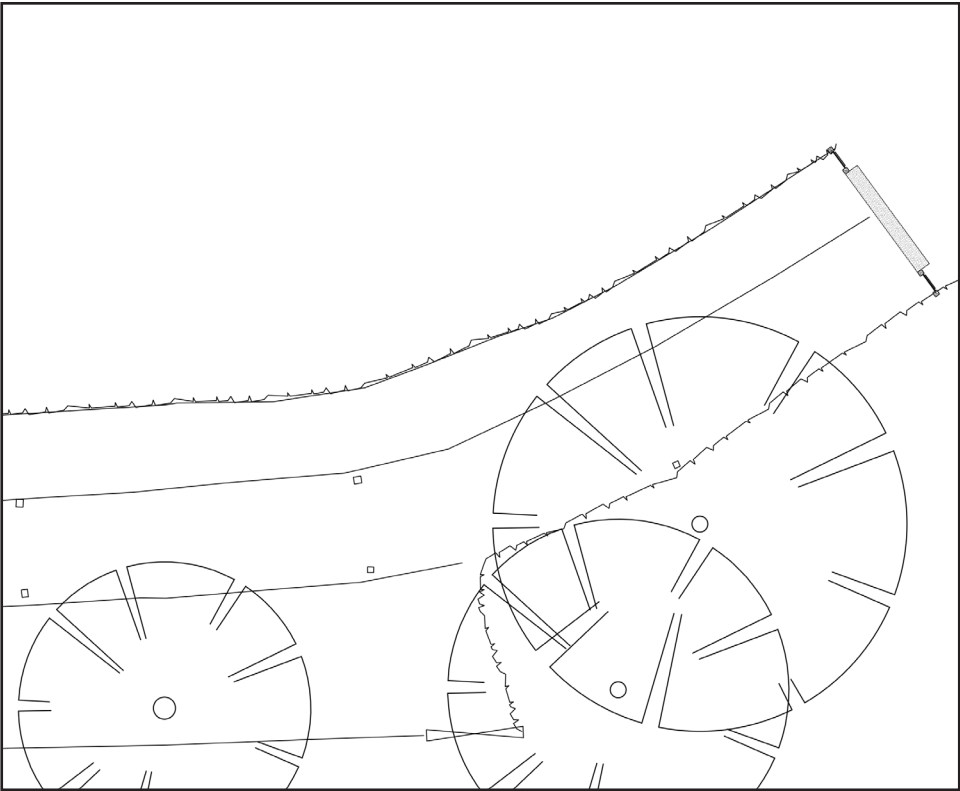
This gate will be the main gate to Nether Walstead and as such will be more imposing. When closed, the gate will emphasise the private nature of the area beyond it but when open will suggest an open welcoming threshold.

This gate demarcates the principal entrance to Nether Walstead. It is of simple, elegant design appropriate to both agricultural and country house contexts.

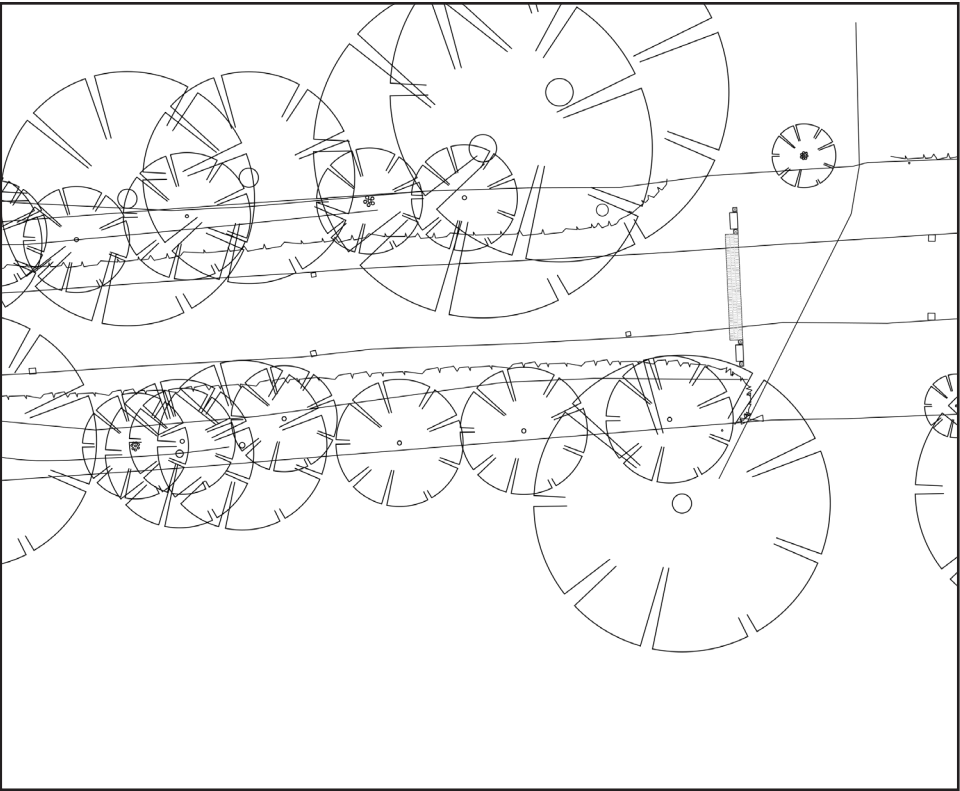
It will have two sets of twin posts with painted boards between them, each bearing a name panel and a masthead LED lamp. The gates themselves will be electrically operated five-bar cross-hatched gates, spanning 5.0m. The swing arc will rest on gate piers on either side and will incorporate a 2.75m area of granite setts. Flanking the gates will be gravel areas and dense hedging, reinforcing the boundary of the private area.

GATE 4

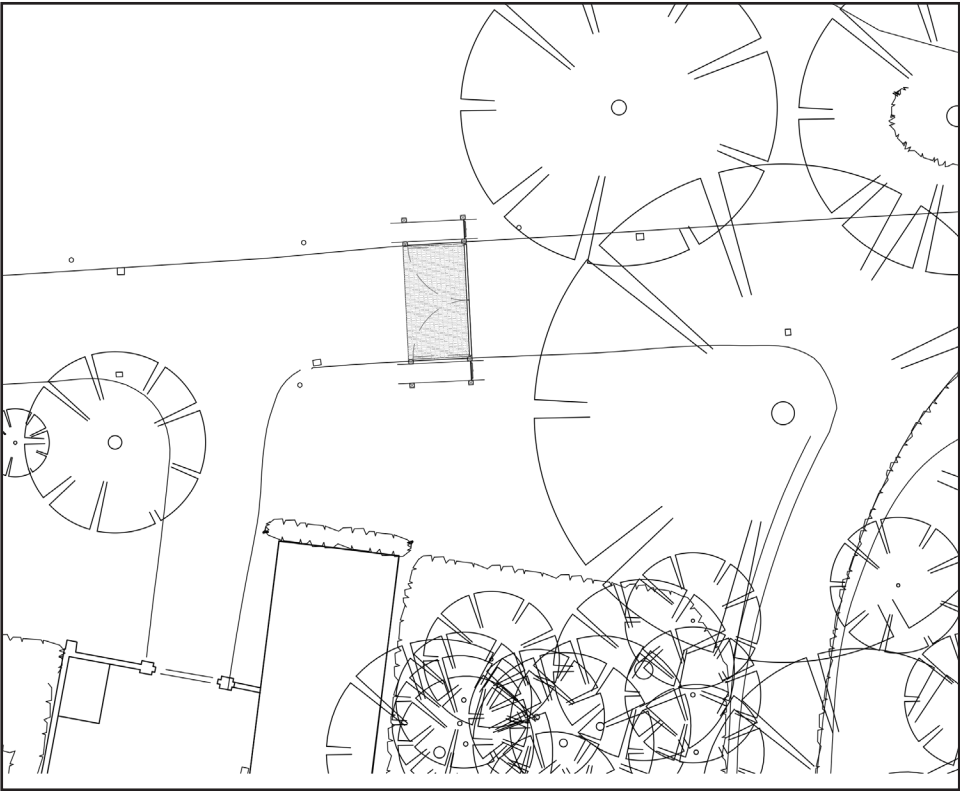
The fourth gate is a pedestrian access gate to demarcate the forecourt of the house and the more utilitarian area of the garages, former coach house and its associated yard. As such its appearance is more solid and workmanlike. It will consist of two posts and a timber panel gate 2.75m wide with a thick hedge either side.



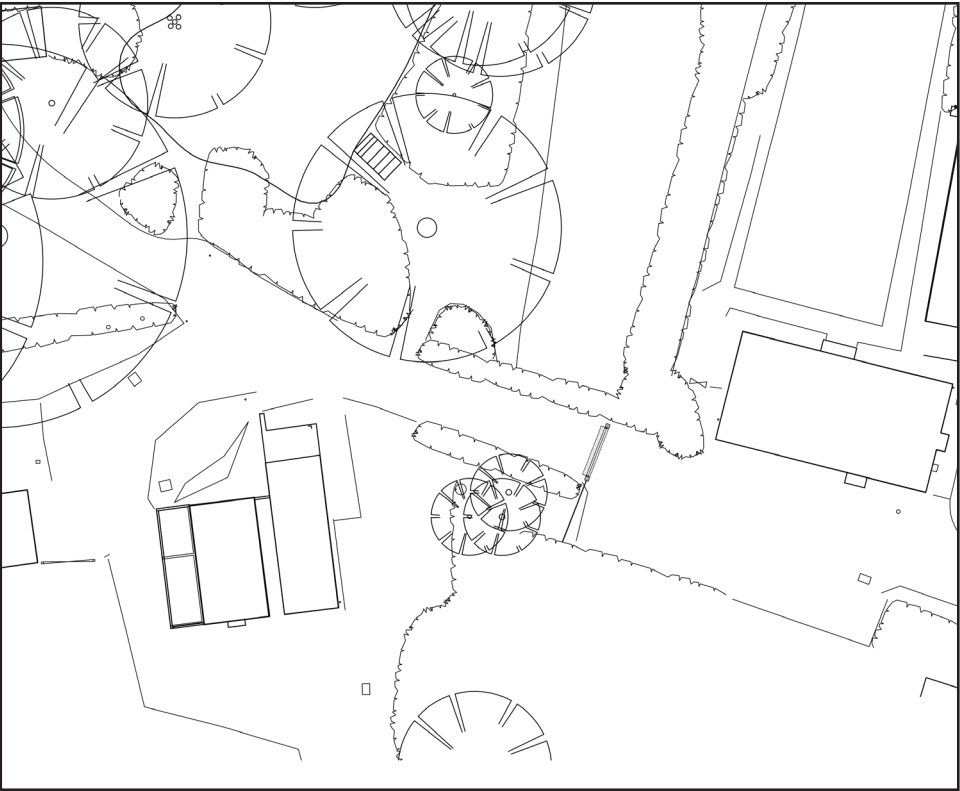
Gateway 1 location



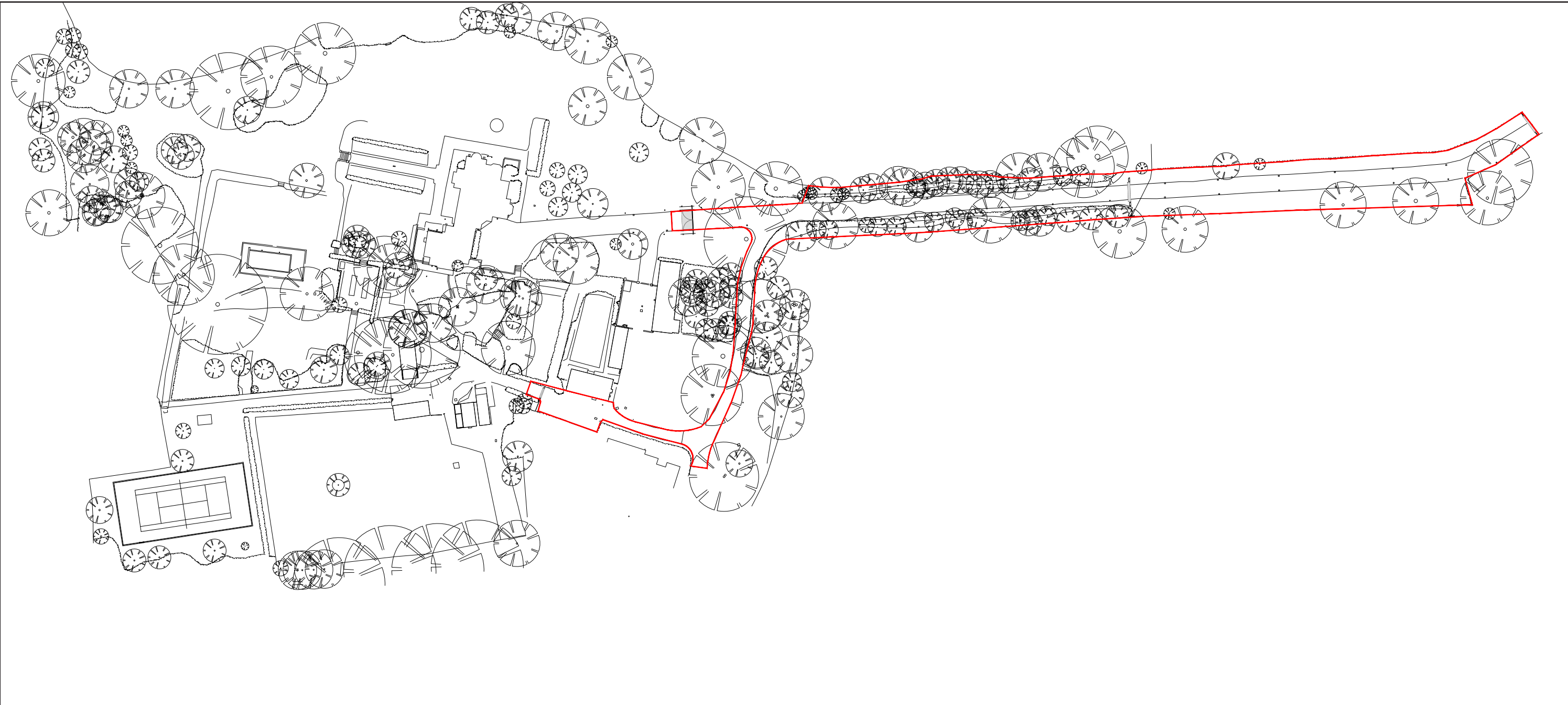
Gateway 2 location



Gate 3 location



Gate 4 location



PROPOSED: SITE PLAN

0 25m

DOLL & Co.

ARCHITECTURE/DESIGN

33 Newman Street, London, W1T 1PY, 0203 8707 262 , www.dollandco.co

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REV:	DESCRIPTION
0	FIRST ISSUE
A	GATE LOCATION

BY:	CHK:	DATE:	Notes:
SD	ID	22.11.24	
SD	--	16.12.24	

FOR PLANNING PURPOSES ONLY

Address: NETHER WALSTEAD EAST MASCALLS LN. RH16 2QJ
Drawing: PROPOSED: SITE PLAN
Scale: 1:500 @A1 Drawing no: 0001 -PL- 202 Revision: A

PROPOSED: GATE 1



ELEVATION

PLAN

PROPOSED: GATE 2



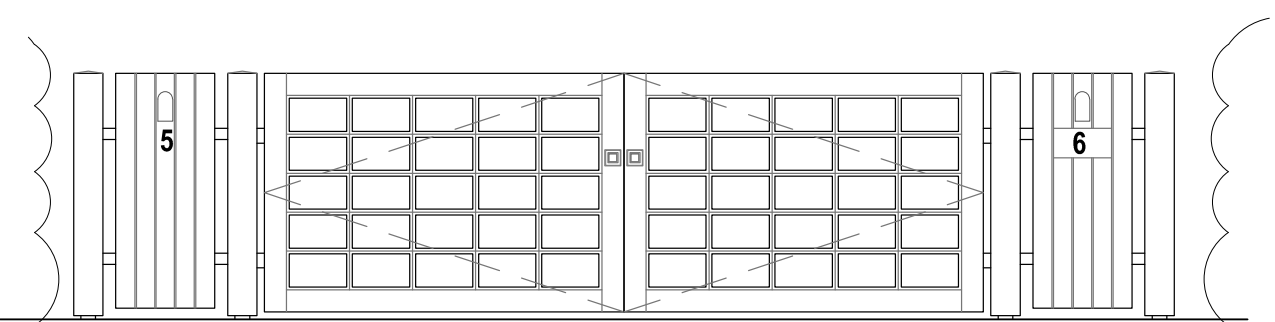
ELEVATION

PLAN

- | | | | |
|---|-------------------------|----|--------------------------|
| 1 | 200 x 200 painted post | 10 | Panel fencing with posts |
| 2 | Name board | | |
| 3 | Painted boarding | | |
| 4 | 3 rows of granite setts | | |
| 5 | Masthead LED lamp | | |
| 6 | House name board | | |
| 7 | Hedge | | |
| 8 | 2.75m of granite setts | | |
| 9 | Gravel | | |

0 2.5m

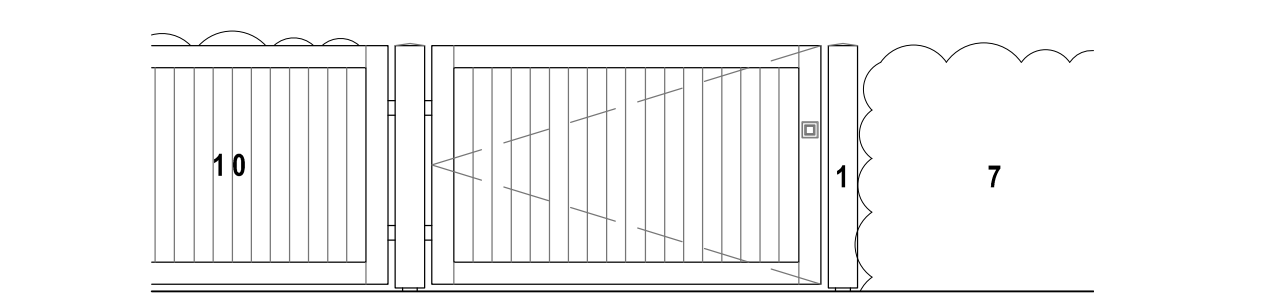
PROPOSED: GATE 3



ELEVATION

PLAN

PROPOSED: GATE 4



ELEVATION

PLAN

Justification and impact assessment

The proposals will not have any impact on the fabric of Nether Walstead due to them not being part of the house. The first two gateways will not be visible from the house due to the length of the driveway. The gates will introduce a small change to the wider setting of Nether Walstead.

These gates will be 2.0m high and will be located approximately 50m from the house. The inclusion of a hedge will reduce the visual impact of the gates at this distance. The introduction of the gates reflects a natural progression of the evolution of Nether Walstead from a rural farm to gentlemen’s country house and the actions that come with this evolution such as the desire for security. Given the shared driveway with the public right of way and the driveway leading to the other cottages, such division of areas and driveways is understandable. The addition of the gates is an extension of this evolution.

The small pedestrian gate is minimal in its presence and its utilitarian use is not out of place given the formal approach to Nether Walstead and its purpose in providing access to the garages and former coach house. The impact on setting will be minimal.

All the gates and gateways can be removed at a later date leaving no trace or impact on the wider setting of Nether Walstead.

Design and Access Statement

This section of the document describes the proposals in relation to the requirements of Design and Access Statements, addressing Use, Amount, Layout, Scale, Appearance and Access.

The proposal consists of the replacement of one existing gateway and the installation of a further gateway and two gates.

The design approach responds to the specific qualities of the site and setting. The proposals are of high quality and will enhance the property’s historic qualities for the long term.

USE

The site will continue to function as a large single unit of accommodation and three separate units of residential accommodation accessed via a shared driveway. The new gateways will help delineate the semi-public areas where the public right of way is situated and those that are solely private. The proposal respects the existing use of the site, ensuring that the alterations support the continuity of its residential function while improving the internal experience for its occupants.

AMOUNT

The proposals will not result in any change in the amounts of habitable space.

LAYOUT

The layout of the proposed gates is based on the historic flow and plan of the existing driveway and is determined by pre-existing factors such as the public right of way and mature trees. The first gateway is necessary to introduce the site as a private road and the name board will advise visitors of the specific individual properties accessible via the driveway. The second gateway will be situated beyond the public right of way which crosses the driveway and will thus delineate the semi-public area from the private area. The gate defines the land and access to Nether Walstead and thus is its entrance. It is located beyond the fork in the driveway which leads to the other cottages. The small rear gate is purely utilitarian providing pedestrian access between the garages, former coach house and yard to the main forecourt of Nether Walstead.

The arrangement of the gates thus respects the traditional arrangement of the main house and its former outbuildings, now separately owned and accessed via their own separate driveway. It maintains the established pattern and hierarchy of the site, ensuring that the new gates do not significantly alter the visual interrelationships between the different parts of the former landholding.

SCALE

The scale of the proposed gates align with the rural surroundings and the importance of Nether Walstead as a country house. Each of the gates responds correctly to its purpose and location.

APPEARANCE

The gateways and gates are crafted from painted timber, drawing inspiration from the rural surroundings and the practical design of the traditional five-bar gate. Reflecting the elegant detailing synonymous with Allies and Morrison, small yet

thoughtful modernisations have been introduced, such as the positioning of the name boards. The third gate, marks the formal entrance to Nether Walstead, and includes a name board, subtle lighting, and granite setts. However, the design remains firmly rooted in its rural context, reinterpreting traditional forms with understated sophistication. The fourth and final gate emphasises functionality, employing plain timber panels in keeping with its practical purpose..

ACCESS

The vehicular access arrangement to the site and other cottages will remain unchanged as will the pedestrian access across the public right of way. Access interpretation will be improved by the new name boards and the clear indication of private land. The overall approach to access respects the historic character of the site while making thoughtful adjustments to improve convenience and usability.



Design precedent



Design precedent



Design precedent

Planning policy context

STATUTORY PROTECTION

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the legal requirements for the control of development and alterations which affect buildings, including those which are listed or in conservation areas. Buildings which are listed, or which lie within a conservation area are protected by law. Grade I are buildings of exceptional interest. Grade II* are particularly significant buildings of more than special interest. Grade II are buildings of special interest, which warrant every effort being made to preserve them.

Under Section 66 of the Act, when considering granting planning permission for developments affecting a listed building or its surroundings, local planning authorities or the Secretary of State must prioritise preserving the building, its setting, or any notable architectural or historical features it possesses.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. Section 16 of the NPPF deals with heritage and is titled “Conserving and enhancing the historic environment” with paragraphs 207, 208, 210, 211, 212, 213 and 214 being of particular relevance and reproduced below:

Proposals affecting heritage assets

Para 207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Para 208. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

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

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

Considering potential impacts

Para 211. 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. **Para 212.** 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* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Para 213. 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 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; and
- c) conservation by grant-funding or some form of not for profit, 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.

Para 214. 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.

MID-SUSSEX DISTRICT PLAN 2021 - 2039

There are three policies of the Mid Sussex that are relevant to the proposal: Policy DP22: Rights of Way and other Recreational Routes, Policy DP26: Character and Design, Policy DP34: Listed Buildings and Other Heritage Assets and DP37: Trees, Woodland and Hedgerows.

Key Objectives:

The key objective of DP22 is the maintaining or enhancing of existing rights of way. The proposal will include signage to identify the location of the public right of way as well as the maintaining of the existing gates. The two new proposed gateways will include passage to allow for access to the public right of way.

Policy DP26 seeks to protect the character and design of areas and to ensure that any changes and development will not negatively impact neighbouring amenities. The new gateways and gates will ensure better privacy for all residents.

Policy DP34 includes more detailed objectives:

1. Protection of Listed Buildings: Development proposals must demonstrate a thorough understanding of the significance of listed buildings and their settings.

This includes respecting the historic form, scale, setting, and fabric of the buildings. Any alterations or extensions should retain the building’s significance and ensure it remains in viable use.

2. Use of Traditional Materials:The policy emphasises the use of traditional building materials and construction techniques, prohibiting modern materials like uPVC windows and doors that could detract from the building’s historic character.

3. Preservation of Building Settings: Special attention is given to protecting the setting of listed buildings, ensuring that new developments do not negatively impact their historical context. This includes careful siting of modern installations like satellite dishes and solar panels.

4. Conservation of Non-Listed Heritage Assets: The policy also covers buildings of architectural or historic merit that are not listed but contribute significantly to the local scene. The council prefers retaining these buildings over demolition and redevelopment, aiming to conserve them in a manner appropriate to their significance.

Overall, the policy seeks to balance the need for development with the importance of preserving Mid Sussex’s rich heritage, ensuring that historical assets continue to contribute to the district’s character and quality of life.

Policy DP37 ensures the protection and enhancement of trees, woodland and hedgerows. Loss of trees that contribute to the visual amenity will not normally be permitted. New trees should be of suitable species. Felling of protected trees will only be permitted if there is no appropriate alternative.

LINDFIELD & LINDFIELD RURAL NEIGHBOURHOOD PLAN 2014-2031

The overall objective of the Lindfield & Lindfield Rural Neighbourhood Plan is to guide development in a way that preserves the unique historical and rural character of the area. It seeks to balance the need for new development with the imperative to protect and enhance the historical environment, ensuring that any changes contribute positively to the area’s heritage and are in harmony with the existing built and natural environment. The plan seeks to influence planning applications related to listed buildings through several approaches:

1. Preservation of Historic Character
The Plan emphasises the importance of maintaining the historic character of Lindfield and Lindfield rural area. It encourages development that is sympathetic to the historic environment and avoids harm to the distinctive character of the area. This includes ensuring that new buildings or alterations to existing buildings respect the scale, materials, and design features typical of the area.

2. Protection of Listed Buildings
The Plan includes specific policies aimed at protecting listed buildings and their settings. Any development proposals that affect listed buildings must demonstrate that they preserve or enhance the building’s historical significance. This includes

Planning policy context

Careful consideration of alterations or extensions, which must respect the historic fabric, scale, and setting of the listed structure.

3. Design and Materials
The Plan advocates for the use of traditional building materials and methods in any development or alteration work, particularly in proximity to historic assets. This ensures that new developments or changes are in keeping with the historic and architectural context of the area.

4. Sensitive Development in Rural Areas
For the rural parts of Lindfield, the Plan seeks to ensure that development is sensitive to the historic and natural landscape. It aims to prevent suburbanisation or inappropriate development that could detract from the rural character and historical landscape.

COMPLIANCE WITH LOCAL POLICY
The proposals for the new gates at Nether Walstead align with the listed building policy objectives of the National Planning Policy Framework, Mid Sussex District Plan 2014-2031 and the Lindfield & Lindfield Rural Neighbourhood Plan through several key aspects:

1. Rights of Way
The access to the public right of way is maintained and enhanced by the provision of better signage associated with the new gates. As such the proposal complies with the policy to maintain or enhance existing rights of way.

2. Protection and Enhancement of Historic Character
The gate designs have been inspired by the previous gate and by others in similar rural locations. As such the proposal has considered the form, scale and materials for such a feature and are therefore sympathetic to the building’s historic significance, aligning with the policy emphasis on preserving the historical and architectural integrity of listed buildings and their setting.

3. Retention of Historic Fabric
The proposed gates will not have any impact on the fabric of Nether Walstead and so complies with the policy requirements to protect the historic fabric and significance of listed buildings.

4. Use of Traditional Materials and Techniques
The gates and gateways will be of timber painted white and so will fit in with the setting which is agricultural. The five-bar diamond design is typical and appropriate for the area. The new gates will therefore be appropriate to the nearby existing historic structures maintaining their authenticity and heritage value.

5. Sensitive Design and Modest Interventions
The design of the new gates are modest and typical of the agricultural and modest country house setting. This aligns with the policy goals of ensuring that new developments respect the scale and character of the historic environment, avoiding overpowering or incongruous changes.

6. Enhancement of Setting
The gates will provide a minor addition to the wider setting of Nether Walstead and only one of them will be visible at a distance from Nether Walstead. This change in setting is however appropriate for the evolution of the house which is now considered to be a large country house. This approach meets the policy objectives of protecting the settings of listed buildings, ensuring that the building’s historical context is preserved and enhanced.

7. Tree protection
The proposals have carefully considered the most appropriate location to minimise any impact on tree roots and will use hand digging to further minimise any impact. Only two trees will have to be coppiced down to the ground prior to the work beginning, this will allow them to grow back naturally over time after the work. This means that the policy objective of protecting important trees is met.

Conclusion
The proposals for the new gates at Nether Walstead are carefully crafted to comply with the protection of rights of way, listed building and tree policy objectives of both the Mid Sussex District Plan 2014-2031 and the Lindfield & Lindfield Rural Neighbourhood Plan. They ensure that access to public rights of way are preserved, the historic significance of the building is preserved, that the overall character and setting of the property are enhanced and that significant and important trees are protected.

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