

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0611	Case Officer:	Andrew Horrell
Application Type:	Listed Building Consent		
Proposal:	Removing two internal walls in the new part of the building to create a usable bootroom/utility room.		
Site:	Maltmans South, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EN, ,		
Validation Date	10 Mar 2025	Overall Expiry Date:	17 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Jul 2025
Target Date:	5 May 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	10 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0611

**Maltmans South, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EN,
Removing two internal walls in the new part of the building to create a usable bootroom/utility
room.
Blakemore**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Conservation Officer:

Maltmans South is one half of a Grade II listed late 16th century building located in a prominent position fronting onto the High Street within the Cuckfield Conservation Area. Historical map regression suggests that there have been a succession of detached outbuildings to the rear of the house, including a small structure dating from the early 20th century which appears to have been subsequently linked to the house and then extended further to the rear.

The current proposal is for internal alterations within this rear wing of the property, within the part which would appear to be formed from the retained and linked early 20th century outbuilding. The proposal comprises the removal of partitions within this outbuilding to create one larger space.

In principle, if it is confirmed that the fabric and plan form affected date from the 20th century, this work would appear to be uncontentious. However, the submitted Heritage Statement is unhelpful in that it contains no information on the date or level of interest of the relevant part of the building. The Statement should be amended, or an addendum submitted, to address this. Photographs of the affected part of the building would be helpful.

Once a revised heritage report was received the following comments were made:

The revised Heritage Statement received confirms that the internal fabric affected by the proposal dates from the 20th century. As such, its removal is not considered contentious, and the proposal is 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.

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

Listed building consent is sought to Remove two internal walls in the new part of the building to create a usable bootroom/utility room.

RELEVANT PLANNING HISTORY

CU/044/98 - Single storey rear extension to enlarge kitchen and erection of new conservatory.
(approved)

00/02415/LBC - Erection of car port and resurfacing of existing driveway (approved)

02/01908/LBC - Various internal and external proposed works. (approved)

05/01739/LBC - Listed Building Consent for the proposed erection of a gabled roof car port. Renewal of planing permission CU/00/2415/LBC. (approved)

DM/21/0309 - Removal of wooden conservatory and provision of a single storey garden room to the rear elevation. (approved)

DM/25/0610 - Removing two internal walls in the new part of the building to create a usable bootroom/utility room. (withdrawn)

SITE AND SURROUNDINGS

Maltmans South is a two storey semi-detached hipped roofed dwelling, the walls are a mix off face brickwork and hanging tiles with timber doors and windows. The dwelling is characterised by various extensions at the property.

To the north of the site is the adjoining neighbour, to the south of the site is fencing to public footpath beyond, to the east of the site is the long rear garden with close boarded fencing to neighbouring 22 Mytten Close beyond and to the west is the driveway to the highway beyond.

The site is within the Cuckfield Conservation area and the built-up area of Cuckfield.

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 Cuckfield 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.

Relevant policies.

None relevant.

Neighbourhood Plan

The Cuckfield Neighbourhood Plan was made on 1 October 2014.

CNP1- Design of New Development and Conservation.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

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.

Mid Sussex District Plan 2021-2039 Submission 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

National Planning Policy Framework (NPPF) (December 2024)

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.*

Considering potential impacts

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:

- 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 Conservation Officer has been consulted and has confirmed that the proposal will to preserve the special interest of the listed building, The proposal meets the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

Therefore, in line with the comments of the Conservation Officer, the proposal is deemed to preserve the significance of the listed building.

The proposal is therefore considered to comply with policy DP34 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal would preserve the special interest of the listed building and thereby meet the requirements of Policy DP34 of the Mid Sussex District Plan, the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

It is recommended that listed building consent is granted.

Decision: Permission

Case Officer: Andrew Horrell