

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0287	Case Officer:	Jessica Szollosi
Application Type:	Full Application		
Proposal:	Retrospective replacement windows		
Site:	Peake House, Lewes Road, Lindfield, Haywards Heath, West Sussex, RH16 2LG, ,		
Validation Date	17 Feb 2026	Overall Expiry Date:	1 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	5 May 2026
Target Date:	14 Apr 2026	Recommending Officer Signature:	<i>Jessica Szollosi</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
--	--	-------------------------------	---

Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	5 May 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0287

**Peake House, Lewes Road, Lindfield, Haywards Heath, West Sussex, RH16 2LG,
Retrospective replacement windows
Mr Anthony Houlihan**

SUMMARY OF REPRESENTATIONS

One letter of representation was received in objection of the retrospective planning application on 17th February 2026. This objection was withdrawn on 11th March 2026.

SUMMARY OF CONSULTEES

Conservation Officer

The Conservation Officer objects to the planning application and recommends that the windows and doors are removed and replaced with appropriate timber-framed alternatives.

TOWN/PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council has no objection to the application.

INTRODUCTION

The retrospective application seeks planning permission for the replacement of timber frame windows with uPVC windows pursuant to S. 73 of the Town and Country Planning Act 1990, as amended.

RELEVANT PLANNING HISTORY

CU/067/75 - Alterations and additions to shop and living accommodation - Permitted 09/05/1975

SITE AND SURROUNDINGS

The application property is located within the Haywards Heath and Lindfield Built up Area Boundary and is a southwest facing, detached, two storey mixed-use property situated adjacent to Lewes Road, a classified 'class B' road. The property comprises a variety of materials including part screened, tile hung and white cladding facade with clay roof tiles. The ground floor of the property is a retail unit used as a hair salon and on the first floor is a residential flat. The grey uPVC windows which form the basis of the planning application are located on the principle elevation at ground level and white uPVC windows are located on the first floor. These windows were installed without planning permission, however, they are immune from planning enforcement due to the passage of time. The property has a northeast facing garden to the rear.

This application site falls within the Lindfield Conservation Area and is covered by Article 4 Direction pursuant to Article 4 (2) of the Town and Country Planning (General Permitted Development) Order 2015 prohibiting the enlargement, improvement or other alteration of a dwelling house where any part of the enlargement, improvement or alteration would front a highway waterway or open space without planning permission first being obtained. Given the commercial nature of the ground floor unit, planning permission for the replacement of the windows would have been required regardless of the Article 4 Direction.

The replacement windows are located on the principal elevation at ground floor level adjacent to Lewes Road.

The wider area is characterised by buildings in a variety of form, scale, design and uses, however, the immediate area surrounding the application site is characterised by residential dwellings to the north, east, and west with a car park to the south.

The dwellinghouse to the east is set back from Lewes Road and comprises a brick and tile hung façade, plain roof tiles and white uPVC fenestration. Lewes Road runs along the south of the site and beyond that is a car park serving Lindfield Common. A detached residential property is located to the west of the site beyond Lewes Road. This property comprises a brick and tile hung exterior, white timber fenestration and a slate roof. Located to the northwest of the site is a semi-detached residential dwelling comprising a brick and tile hung façade, clay roof tiles and white timber fenestration.

APPLICATION DETAILS

The retrospective application seeks to obtain planning permission pursuant to S. 73a of the Town and Country Planning Act 1990, as amended, for the replacement of white timber frame windows with grey wood effect uPVC windows.

The application relates to three windows on the ground floor of the dwelling; two large rectangle windows on the east and west of the principle elevation and one central window attached to a door with uPVC frame and glass window.

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 Lindfield and Lindfield Rural 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:

DP1 - Sustainable Economic Development
DP3 - Village and Neighbourhood Centre Development
DP26 - Design and Character
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.

Lindfield and Lindfield Rural Neighbourhood Plan

Policy 3 - Small Businesses

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPB3 - Conservation Areas

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

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 205 and 212-215 of the NPPF are relevant.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows:

- Sustainable Economic Development
- Design and Character
- Impact on the Conservation Area
- Other material considerations
- Biodiversity Net Gain

The proposal seeks to replace the white timber windows with grey wood effect uPVC windows. The replaced windows include two large windows on the east and west of the principle elevation with a central window adjoining a door.

Sustainable Economic Development

Policy DP1 of the Mid Sussex District Plan states that:

'The total number of additional jobs required within the district over the plan period is estimated to be an average of 543 jobs per year. This will be achieved by

- Encouraging high quality development of land and premises to meet the needs of 21st century businesses;

- Supporting existing businesses, and allowing them room to expand'

'Effective use of employment land and premises will be made by:

- Protecting allocated and existing employment land and premises (including tourism) unless it can be demonstrated that there is no reasonable prospect of its use or continued use for employment or it can be demonstrated that the loss of employment provision is outweighed by the benefits or relative need for the proposed alternative use

- Permitting appropriate intensification, conversion, redevelopment and/ or extension for employment uses providing it is in accordance with other policies in the Plan.'

'Neighbourhood Plans should:

Identify the needs of local businesses and their local residents for employment opportunities and any areas requiring economic regeneration, infrastructure provision or environmental enhancement as required by paragraph 21 of the National Planning Policy Framework'

Policy DP3 of the Mid Sussex District Plan relates to Village and Neighbourhood Centre Development and states that:

'To support the village centres, development, including for mixed uses, will be permitted providing it:

- Helps maintain and develop the range of shops and services to enable the village centre to meet local needs; and

- Is appropriate in scale and function to its location including the character and amenities of the surrounding area; and

- Is in accordance with the relevant Neighbourhood Plan.'

Policy 3 of the Lindfield and Lindfield Rural Neighbourhood Plan relates to small businesses and states that:

'Development proposals for small scale business uses on land within the built up area boundaries of Lindfield and Scaynes Hill, will be supported, provided the site is well located to the road network, the operations will not cause harm to the amenities of local residents, and the development proposals will have a low impact on the surrounding areas.

4.13 The policy particularly encourages proposals for suitable B1 business development in the Parishes, such as cottage businesses, home-based businesses or/and high-tech office units, to encourage local employment and to provide opportunities for apprenticeships and business development, but other businesses within the Town & Country Planning (Use Classes) Order 1987 and subsequent amendments, are not excluded.

4.14 It accords with Submission District Plan Policy DP2 that is encouraging "high quality development of land and premises to meet the needs of 21st century businesses and supporting existing businesses, and allowing them room to expand".

4.15 The policy also recognises that proposals must be suited to their location in what is primarily a residential and rural character neighbourhood area. In which case, proposals must be well located to the road network to effectively manage goods, services and employee traffic movements and must not harm the amenities of proximate residential areas.'

Per the planning statement submitted by the applicant in support of the planning application, the uPVC windows enable the building to be used for the purposes of a hair salon providing sustainable local business, services and employment to the village.

The commercial nature of the application property, specifically its intensified use from a florist to hair salon, benefits from the uPVC windows, specifically in managing the condensation emitted as a result of its business operations.

As such, the installation of uPVC windows would enable the premises to meet the requirements of a 21st century businesses and support the expansion and intensification of the existing business, providing economic and employment benefits to the local residents.

Given the above, the proposed development would be considered to comply with Policies DP1 and DP3 of the Mid Sussex District Plan and Policy 3 of the Lindfield and Lindfield Rural Neighbourhood Plan.

Design and Character

Policy DP26 of the Mid Sussex District Plan 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:

- Is of high quality design and layout and includes appropriate landscaping and greenspace;*
- 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;*
- Creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- Protects open spaces, trees and gardens that contribute to the character of the area;*
- Protects valued townscapes and the separate identity and character of towns and villages;*
- 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 DP27);*
- Creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- Incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- Positively addresses sustainability considerations in the layout and the building design;*
- 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; and*
- Optimises the potential of the site to accommodate development'.*

The retrospective planning application relates to the installation of three grey uPVC framed windows, the central window adjoining a uPVC framed glass door. The previous windows had white timber frames and the central window adjoined a 15 glass pane white timber door.

The proposed windows are on the principle elevation adjacent to the public highway and therefore visible from the street scene. Whilst the wider area is characterised by a combination of residential, commercial, retail and mixed-use properties, the immediate surrounding area is characterised by residential properties constructed in materials similar to that of the application site, including brick and tile hung facades, clay or tiled roofs and white fenestration. The property is located off the high street, and while this location falls within the Lindfield Conservation Area and would experience high footfall, its location on Lewes Road would not be considered to have the same intrinsic character as the high street.

The proposed uPVC window design is similar to the previous timber windows and the design itself would not be considered to detract from the character of the surrounding area.

However, the grey colour of the uPVC windows would not be considered to integrate seamlessly with the existing building which has white uPVC windows on the first floor. In order to promote cohesion of materials, a condition will be applied to any permission granted for this application requiring the window colour to be changed to white in order to match the colour of the existing uPVC windows on the first floor of the property.

Moreover, the use of uPVC as a substitute for timber in a conservation area is regrettable. Whilst the uPVC is wood grained, from close inspection it is clearly uPVC and given its location fronting a sidewalk adjacent to a public highway, the area experiences high footfall within close proximity of the proposed uPVC windows.

The design of the windows is similar to the previous windows in situ and would be considered acceptable in planning terms. Whilst the materials are disappointing, they would not be considered to cause substantial harm in terms of Policy DP26 of the Mid Sussex District Plan.

Impact on the Conservation Area

Policy DP35 of the Mid Sussex District Plan relates to the protection and enhancement of Conservation Areas and states that:

'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:

- 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'

Principle DG11 of the Mid Sussex Design Guide states:

'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'

Paras 205, 212-215 of the NPPF state:

'205. 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.*

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* listed 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; 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.*

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.'

The Council's Conservation Officer has been consulted on the application and has provided the following comments:

'The application site is an unlisted building located within the Lindfield Conservation Area, which is covered by an Article 4 Direction. The building appears to date from the 19th century, but has been altered, for example by the introduction of a shop frontage at ground floor. It makes in my opinion a neutral contribution to the character and appearance of the Area.

The current proposal, which is retrospective, relates to the ground floor frontage of the building and is for the replacement of the previously present timber framed windows and doors with timber-effect uPVC framed units.

In my opinion, the proposal is unfortunately contentious in principle. uPVC is not a material which would be considered acceptable for use in a Conservation Area context, particularly on a traditional building in a relatively prominent position. The Article 4 Direction imposed on the entirety of the Lindfield Conservation Area was put in place partly to ensure that replacement windows and doors to elevations fronting onto a highway are appropriate in their design and material. Although the material in this instance is wood-grained, it is clearly uPVC, particularly on close inspection, which in this instance is readily available as the frontage of the building is directly adjacent to the rear of the pavement. This detracts from the appearance of the shop frontage and of the wider Conservation Area.

District Plan Policy DP35 relates to Conservation Areas and requires that development within an Area should preserve or enhance its character and appearance. In my opinion the current proposal fails to meet this requirement and is therefore contrary to the policy. In terms of the NPPF, it results in less than substantial harm to the Conservation Area, at the low-mid range of the scale, which stands under paragraph 215 to be weighed against the public benefits, if any, of the works.

I would recommend that the windows and doors are removed and replaced with appropriate timber-framed alternatives.

The applicant has suggested a number of precedents for the current proposal. Although all applications must be considered on their own merits, I will respond briefly to these here:

Linden Chalet, Lewes Rd - Whilst the street-facing windows to this property do appear to be uPVC I can find no record of planning permission for their installation.

Lindfield Motors, Lewes Rd- as noted by the applicant, this site is not within the Conservation Area.

First floor, Peake House - Again although the windows to the flat above the application site do appear to be uPVC there is no recent record of planning permission for their installation.

Free Church and The Manse, Challoner Road - Again, there is no specific record which I can find of planning permission for the installation of uPVC windows. A 2016 permission relating to a porch extension to the Church notes the existing windows to be timber, and a condition on that permission requires the new windows to the porch to be to match.

2 Frederick Cottages, Lewes Rd - I can find no record of planning permission for replacement windows to this property.

Masters Undertakers, Lewes Rd - Again, no apparent recent planning permissions have been granted for replacement windows to this property.

King Edward Hall, High Street. This is a community hall dating from the early 20th century in a loosely Arts and Crafts style. The replacement of the previously present timber framed Georgian casement windows with aluminium framed casements of a similar design was accomplished in stages, most recently by a planning permission dated 2019. Given the date and architectural style of the building, which is clearly very different from the application site, this was not considered inappropriate.

No 31 - A full address for this site is not provided.

Co-op, High Street. I assume this refers to the shopfront? Although I cannot find any recent record of planning permission for its replacement, the Co-op building clearly dates from the mid-late 20th century and as such aluminium framed shop windows of an appropriate design would be unlikely to be considered contentious.

In summary, I do not consider that any of these examples provide a relevant precedent for the retention of uPVC windows at the application site.'

The UPVC windows in replacement of the original timber frames would not be considered to enhance the character and appearance of Lindfield and the Lindfield Conservation area contrary to the requirements of District Plan Policy DP35.

However, the proposal would not be considered to detract from it either, but rather have a neutral impact on the character of the area as the new design is considered to be similar to the previous design and sympathetic to the character of the existing building and the street scene. The use of uPVC in place of the original timber windows is, however, regrettable.

Given that the proposal would be considered to result in less than substantial harm to the Conservation Area, such that paragraph 215 of the NPPF will apply; balancing the harm caused as a result of the works against its public benefit.

A planning statement has been submitted in support of this application which states that the letting agent would only lease the commercial premises if it achieved an EPC C rating and the commercial tenant, a hair salon, would have only leased the premises with uPVC windows due to the condensation caused as a result of its operations.

The hair salon business provides sustainable independent local business, services and employment to the village, which would be considered to be in the public interest.

Per the Conservation Officer's comments, the replacement uPVC windows do cause harm to the Conservation Area, however, special circumstances exist with regard to the existing poor quality uPVC windows that were previously installed on the first floor of the application property which are immune from enforcement action due to the effluxion of time.

In terms of the NPPF the proposal would cause less than substantial harm to the Lindfield Conservation Area as set out in paragraph 215 and is weighed against the public benefits of the proposal. Justification

has been provided for the use of uPVC instead of timber which would be considered to be in the public interest and this is considered to outweigh the harm identified such that the development would not be considered contrary to paragraph 215 of the NPPF.

Other Material Considerations

The planning statement submitted in support of this application refers to various other properties that have installed uPVC windows in replacement of timber. Whilst the Conservation Officer has addressed these individually, each application shall be considered on its individual planning merits.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 for proposed applications. This is a retrospective application pursuant to S. 73a of the Town and Country Planning Act 1990 for the replacement of windows which has already taken place. Therefore, the applicant would not be required to provide Biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, it is considered that the replacement of the timber windows with uPVC windows causes less than substantial harm to the character and appearance of the Lindfield Conservation Area, but the public benefit outweighs the harm such that the requirements of paragraph 215 of the NPPF should apply.

It is therefore considered that the proposal would not comply with policy DP35 of the District Plan, but would comply with Policy DP1, DP3 and DP26 of the Mid Sussex District Plan and Policy 3 of the Lindfield and Lindfield Rural Neighbourhood Plan and the requirements of the NPPF.

As such, the proposal would be acceptable in planning terms.

Decision: Permission

Case Officer: Jessica Szollosi