

## Delegated Decision

### Sign off Sheet

<b>Ref. No:</b>	DM/25/2067	<b>Case Officer:</b>	Hamish Evans
<b>Application Type:</b>	Listed Building Consent		
<b>Proposal:</b>	Demolition of the existing property and replacement with a new single storey residential dwelling.		
<b>Site:</b>	Lullings Cottage, West Hill, Ardingly, Haywards Heath, West Sussex, RH17 6QY, ,		
<b>Validation Date</b>	21 Aug 2025	<b>Overall Expiry Date:</b>	2 Dec 2025
<b>Pre-Commencement Conditions Required:</b>		<b>Pre-Com Conditions Date Agreed:</b>	
<b>Recommendation:</b>	Refusal	<b>Recommendation Date:</b>	11 Dec 2025
<b>Target Date:</b>	16 Oct 2025	<b>Recommending Officer Signature:</b>	Hamish Evans

<b>Date Legal Agreement Completed: (if applicable)</b>		<b>No of Representations:</b>	0
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<b>Signed and Agreed By:</b>	Steven King	<b>Date:</b>	11 Dec 2025
<b>Comments:</b>			

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/2067**

**Lullings Cottage, West Hill, Ardingly, Haywards Heath, West Sussex, RH17 6QY,  
Demolition of the existing property and replacement with a new single storey residential  
dwelling.  
Mr Musker**

### **SUMMARY OF REPRESENTATIONS**

No third-party letters of representation have been received.

### **SUMMARY OF CONSULTEES**

#### **MSDC Conservation Officer**

A total loss of significant of the Cottage and its outbuilding through their demolition, a level of less than substantial harm through loss of group value and impact on setting to the listed former farmhouse and the remaining curtilage listed former farm buildings, at around the low-mid level of that scale and a low level of less than substantial harm through impact on the setting of the Ardingly Conservation Area. Contrary to policies DP34 and DP35 of the Mid Sussex District Plan.

#### **Archaeological Consultant**

No comment.

### **PARISH COUNCIL OBSERVATIONS**

#### **Ardingly Parish Council**

No comment.

### **INTRODUCTION**

The application seeks listed building consent for the demolition of the existing property and sheds, to be replaced with a single storey dwelling at Lullings Cottage West Hill Ardingly RH17 6QY.

### **RELEVANT PLANNING HISTORY**

DM/25/2066. Demolition of the existing property and replacement with a new single storey residential dwelling. Pending Consideration.

### **SITE AND SURROUNDINGS**

The application site is located within the countryside and the High Weald Area of Outstanding Natural Beauty. The existing dwelling is a curtilage listed building which was formally used ancillary to Lullings which is a Grade II listed building to the southwest of the application building. The Ardingly Conservation Area is located some 1.1km to the southeast of the site. The application building is a two-storey residential property which is dilapidated in its appearance. It has been confirmed that it has not been occupied as a dwellinghouse since 2021. It is characterised by painted brick walls, grey slate roof tiles and wooden and metal window and door frames. There is an existing single storey outbuilding to the north of the existing dwelling and it is characterised by timber clad walls, metal sheet roofing and timber framed windows and doors. It is used for domestic storage purposes. A grassy garden area is located to the north and east of the existing dwelling and significant tree lines are located to the south, west and north of the dwelling. The site is accessed from the north of the site with a track that leads to

Paddockhurst Lane. The surrounding area is rural in its nature, with it being characterised by open countryside, sporadic residential development and woodland.

## **APPLICATION DETAILS**

The application seeks planning permission for the demolition of the existing property and sheds to be replaced with a single storey dwelling at Lullings Cottage West Hill Ardingly RH17 6QY.

The new dwelling would be located to the north of the existing dwelling and it will be single storey in its nature. It would measure some 14.9 metres in width, 12.3 metres in depth, an eaves height of 3.1 metres and a total height of 5.0 metres. It would consist of two pitched roof elements which are linked by a flat roof element. The dwelling would consist of a utility room, pantry, kitchen dining room, living room, a 1-person bedroom, bathroom and 2-person bedroom with en-suite. The proposed dwelling would be characterised by brickwork and silver larch clad walls, sedum and corrugated metal roofing, aluminium framed windows and doors and solar panels.

The proposal would utilise the existing access to the north of the site and it would include a permeable paved parking area to the west of the proposed dwelling. It includes some two parking spaces to the west of the proposed dwelling and a storage building for cycle storage, refuse bins and a heat pump. The proposed curtilage would be located to the south and east of the proposed dwelling.

## **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 Ardingly 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:

DP26 - Character and Design  
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.

### **Ardingly Neighbourhood Plan**

The Ardingly Neighbourhood Plan was made in March 2015.

Relevant policies:

ARD9: Heritage Assets

### **Other Legislation**

*Planning (Listed Buildings and Conservation Areas) Act 1990*

## **Other Material Considerations**

### *Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)*

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 the 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:

DPB1: Character and Design

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 2024)*

## **ASSESSMENT**

### **Impact on Heritage Assets and Character and Appearance**

Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the LPA should have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

Policy DP34 seek to preserve the special interest of the Listed Building a similar ethos is found within policy ARD9 of the Ardingly Neighbourhood Plan and the National Guidance contained in Paragraphs 212-216 of the NPPF.

Lullings Cottage is a curtilage listed building, formerly ancillary to Lullings, a Grade II listed former farmhouse, later country residence, located in a rural position outside Ardingly.

The proposal would result in the demolition of Lullings Cottage. The Council's Conservation Officer has commented on the application and advised that *'Lullings Cottage is considered to be of a degree of historical and architectural interest as a curtilage listed building, and in particular is considered to contribute positively to the setting and special interest of Lullings. It has group value with the listed former farmhouse, and the former farm buildings around it, and contributes to the narrative of the development of the historic farmstead into a country residence.'*

The proposal would result in the total loss of significance of Lullings Cottage through its demolition, a degree of less than substantial harm through impact on setting to the special interests of the listed farmhouse and the remaining curtilage listed buildings within the historic farmstead. The level of less than substantial harm to the setting of the listed farmhouse and remaining curtilage listed buildings is considered to be at the low-mid level.

As the proposal would result in the total loss of significance of a designated heritage asset the LPA should refuse consent unless the total loss is necessary to achieve substantial public benefits that outweigh the loss or all the requirements of paragraph 214 of the NPPF apply. The proposal would result in construction jobs over the life of the build, a biodiversity net gain and sustainability measures at the proposed dwelling. Because, however, of the small scale of the development proposed, these public benefits would be very limited and not meet the substantial public benefits as set out in paragraph 214 of the NPPF. It is also considered that the proposal would not represent a development that criteria a - d of paragraph 214 of the NPPF applies to.

There has also been a low-mid level of less than substantial harm the setting of the listed farmhouse and remaining curtilage listed buildings. The levels of harm should be weighed against the public benefits of the scheme which have been identified above. Given the very limited public benefits they are not considered to outweigh the harm levels of less than substantial harm that have been identified.

Taking into account the above the proposal is not considered to comply with policy DP34 of the Mid Sussex District Plan, policy ARD9 of the Ardingly Neighbourhood Plan and paragraphs 212-216 of the NPPF.

The Council's Archaeologist has commented on the application and raised no objection in respect of impact on archaeological artifacts.

### **Biodiversity Net Gain**

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a listed building consent application within the meaning of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990. As a listed building consent application, this development is exempt from the requirement to provide biodiversity net gain.

### **CONCLUSION**

It is considered that due to the nature of the proposal there would be a total loss of significance of Lullings Cottage through its demolition and a low to mid degree of less than substantial harm through impact on setting to the special interests of the listed farmhouse and the remaining curtilage listed buildings within the historic farmstead. Great weight should be given to the conservation of heritage assets. Therefore, the proposal would not comply with policy DP34 of the Mid Sussex District Plan, policy ARD9 of the Ardingly Neighbourhood Plan, the Planning (Listed Buildings and Conservation Areas) Act 1990 and with the relevant provisions of the NPPF.

Decision: Refusal

Case Officer: Hamish Evans