

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                                                                                                                                                     |                                        |                   |
|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------|
| <b>Ref. No:</b>                              | DM/26/0681                                                                                                                                                                                                                          | <b>Case Officer:</b>                   | Emily Wade        |
| <b>Application Type:</b>                     | Listed Building Consent                                                                                                                                                                                                             |                                        |                   |
| <b>Proposal:</b>                             | Proposed renovation and refurbishment of family bathroom and shower room, including the removal of a stud partition wall, replacement of an existing extractor fan and the removal in part of external pipes on the north elevation |                                        |                   |
| <b>Site:</b>                                 | Fowlers, Broxmead Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5JH, ,                                                                                                                                                         |                                        |                   |
| <b>Validation Date</b>                       | 24 Mar 2026                                                                                                                                                                                                                         | <b>Overall Expiry Date:</b>            | 24 Apr 2026       |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                                                                                                                                                     | <b>Pre-Com Conditions Date Agreed:</b> |                   |
| <b>Recommendation:</b>                       | Permission                                                                                                                                                                                                                          | <b>Recommendation Date:</b>            | 11 May 2026       |
| <b>Target Date:</b>                          | 19 May 2026                                                                                                                                                                                                                         | <b>Recommending Officer Signature:</b> | <i>Emily Wade</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                      |              |             |
|------------------------------|----------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Joanne Fisher</i> | <b>Date:</b> | 11 May 2026 |
| <b>Comments:</b>             |                      |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/26/0681**

**Fowlers, Broxmead Lane, Cuckfield, Haywards Heath, West Sussex, RH17 5JH,  
Proposed renovation and refurbishment of family bathroom and shower room, including the  
removal of a stud partition wall, replacement of an existing extractor fan and the removal in part  
of external pipes on the north elevation  
Mr And Mrs John Kerr**

### **SUMMARY OF REPRESENTATIONS**

None received.

### **SUMMARY OF CONSULTEES**

N/A

### **TOWN/PARISH COUNCIL OBSERVATIONS**

No response received to date.

### **INTRODUCTION**

Fowlers is a Grade II listed timber framed cottage located in a rural position outside Cuckfield. The current proposal is for internal and external alterations relating to the refurbishment of the existing family bathroom, including reconfiguration of stud partitions to allow for part of the adjoining shower room to be incorporated in the bathroom. Externally, the removal of a redundant WC waste pipe is proposed.

### **RELEVANT PLANNING HISTORY**

None relevant.

### **SITE AND SURROUNDINGS**

Fowlers is a Grade II listed timber framed cottage located in a rural position outside Cuckfield.

### **APPLICATION DETAILS**

The current proposal is for internal and external works relating to the refurbishment of the existing family bathroom at first floor level, including reconfiguration of stud partitions to allow for part of the adjoining shower room to be incorporated in the bathroom. The remaining area of the shower room will be repurposed as a cupboard. Externally, the removal of a redundant WC waste pipe is proposed.

### **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 policy:

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**

None relevant.

## **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 the majority of 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 210-215 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.*

*211. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.*

### *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:...*

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

The proposed works relate to an existing first floor level bathroom and adjacent shower room, which are separated by a modern partition. The proposal is to reconfigure the two spaces so that part of the shower room is incorporated in the bathroom, with the remainder becoming a cupboard accessed through the existing door. New fittings, tiling and flooring are also proposed.

The existing partitioning dividing the two rooms affected is modern; its reconfiguration to allow for the enlargement of the bathroom will therefore not affect fabric of interest or materially impact on the historic plan form of the building. Both rooms are currently entirely tiled; the refurbishment of the extended bathroom will therefore not result in potential concealment of fabric or features of interest to the walls. With respect to the floor, both spaces are currently carpeted, concealing historic floorboards below. Although the floorboards will not be exposed by the proposal, a raised deck floor will be installed as a reversible measure which will prevent water damage and allow pipe runs to be installed between this and the underlying historic flooring. Given that the historic floorboards are currently concealed, this aspect of the proposal is not on balance considered contentious.

Externally, the works are confined to the removal of a redundant waste pipe; otherwise existing pipe runs will be reused. This will result in a minor beneficial impact on the appearance of the affected elevation.

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