

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1384	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Retention of heat pump.		
Site:	Mill Studio, Old Hollow, Copthorne, Crawley, West Sussex, RH10 4TB, ,		
Validation Date	2 Jun 2025	Overall Expiry Date:	29 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	5 Jun 2026
Target Date:	28 Jul 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	8 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1384

Mill Studio, Old Hollow, Copthorne, Crawley, West Sussex, RH10 4TB,
Retention of heat pump.
Mr Michael Woolford

SUMMARY OF REPRESENTATIONS

One representation letter was received objecting to the application.

SUMMARY OF CONSULTEES

Conservation Officer: The conservation officer response to the most recent amendment to the application, *'We have received a combined Heritage and Acoustic Report, which also includes some details of a proposed acoustic enclosure. I have read and considered the heritage points made in the report but find that these do not alter my opinion as set out below that the location of the pump is harmful to the settings and significances of the adjacent listed buildings and NDHAs.'*

The proposed acoustic enclosure is fairly substantial, and would increase the scale of the installation and its visual prominence within the mill yard. No details of materials or finishes appear to be given - from the product images I would assume that this is painted metal, but it would be helpful if the applicant can confirm this? An enclosure of this scale and modern industrial appearance will only serve to exacerbate the visual harm caused by the installation to the adjacent heritage assets.

Subject to the above further detail re. materials I would consider the revised proposal to result in harm to the affected designated and non-designated assets at a slightly higher level than previously set out, due to the increased scale of the development. No further information has been provided as to the NDHAs within the grouping, so I would on the basis of the information available place their level of interest at moderate-high, within the local context.

I would also add in terms of the energy efficiency and climate crisis arguments made by the applicant that Historic England have produced a raft of guidance on this subject in the context of traditional buildings, which advocates a 'whole house' approach, and which are not referenced by the applicant. The applicant has not provided any evidence that a holistic approach has been taken at Mill Studio, or that alternative, less harmful solutions to enhance the energy efficiency of the property have been considered. On this basis, I consider that only limited weight can be attached to the arguments made by the applicant on this matter.'

Environmental Protection: The environmental protection response following the most recent amendment to the application is as follows, *'The submitted acoustic report demonstrates that the noise from the ASHP will not cause significant adverse impact, as long as the specified acoustic enclosure is correctly fitted. On this basis EP has no objection to the development providing that the appropriate acoustic enclosure is installed.'*

WORTH PARISH COUNCIL OBSERVATIONS

Worth Parish Council defer the decision to the officer

INTRODUCTION

The application seeks planning permission for the retention of an air source heat pump and acoustic enclosure.

RELEVANT PLANNING HISTORY

01/00182/FUL - Conversion of existing residential unit to two dwellings, replacement of a flat roofed extension hipped end, demolition and alterations. Permitted 27.03.2001

SITE AND SURROUNDINGS

Mill Studio is part of a group of buildings associated with Rowfant Mill, a Grade II listed 18th century former watermill, located in a rural position outside Copthorne, facing Mill Pond. It is a two-storey pitched roof building with external walls clad in white painted shiplap. It is within the setting of Rowfant Mill Cottage, a Grade II listed building.

The site lies within the countryside and is accessed via a private road leading off of Old Hollow.

APPLICATION DETAILS

The application seeks planning permission for the retention of an air source heat pump located to the rear of the property.

The initial application included details of a louvred air intake screen, which is not currently in place, to screen the ASHP alongside potted trees or shrubs. Following the submission of an acoustic report, an acoustic enclosure was added to the plans as it was deemed necessary to reduce the noise impact of the ASHP. The acoustic enclosure proposed would be a metal enclosure measuring 1.7 metres wide, by 1.6 metres in height and 1.1 metres in depth. The ASHP unit measures 1 metre in width by 1.4 metres in height and 0.3 metres in depth.

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 Copthorne 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:

DP12: Protection and Enhancement of Countryside

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.

Copthorne Neighbourhood Plan

The Copthorne Neighbourhood Plan was made in September 2021

Relevant policies:

CNP1 - General Development Requirements

CNP9 - Character Area 2: Agricultural Belt

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 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration.

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

ASSESSMENT

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

- Impact on design, character and appearance of the area
- Impact on Neighbourhood Amenity
- Impact to setting of a listed building
- Biodiversity Net Gain

Impact on design, character and appearance of the area

One of the objectives of achieving sustainable development is to ensure that proposals '*contribute to protecting and enhancing our natural, built and historic environment*' (para 8, NPPF). In addition, the NPPF states that policies and decisions should contribute to and enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside*' (para 180).

As the proposed development is located within the countryside the proposal, Policy DP12 of the District Plan is relevant. The principal aim of Policy DP12 of the District Plan states the: '*countryside will be protected in recognition of its intrinsic character and beauty.*'

The application site is currently in residential use. The air source heat pump is currently located to the rear of the building and therefore does not detract from the rural and landscape character of the location. It is therefore considered that the proposal would comply with policy DP12 and be acceptable in principle.

Policy DP26 of the Mid Sussex District Plan states (in part):

"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;"*

The relevant paragraphs of Policy CNP1 of the Neighbourhood Plan are as follows:

'CNP1.1 Proposals will be supported where they sustain or reinforce the positive aspects that make up the individual character and distinctiveness of each Character Area, as defined on the Policies Map, in which they sit.

CNP1.6 Extensions to existing buildings will be supported provided they adhere to other policies in the development plan and:

- a) Are no higher than the existing building.*
- b) Do not conflict with traditional boundary treatment of an area.*
- c) Use materials which are compatible with materials of existing/surrounding buildings.'*

The application seeks planning permission for the retention of an Air Source Heat Pump which is located at the rear of Mill Studio within the courtyard area of the group of buildings associated with Rowfant Mill. The application has evolved since its submission to include a metal acoustic enclosure to minimise the noise impact.

The courtyard, where the ASHP and enclosure are to be located, is characterised by a group of attractive period buildings associated with Rowfant Mill, dating from the 18th century which collectively contribute to the historic character and significance of the site. The space itself retains a relatively open and functional quality, allowing appreciation of the architectural form and relationship between the buildings. It is considered that the introduction of the metal acoustic enclosure would result in an incongruous and visually intrusive feature within this sensitive setting. Furthermore, due to its size and siting within the courtyard, the structure would encroach into the shared space in a manner that cannot reasonably be regarded as de minimis, resulting in a noticeable and harmful alteration to the spatial qualities of the courtyard.

It is considered therefore that the proposal fails to respect the character and appearance of the site and the surroundings and therefore does not comply with policy DP26 of the Mid Sussex District Plan which seeks high quality design that responds positively to local character, and Policy CNP1 of the Copthorne Neighbourhood Plan, which requires development to conserve and enhance local distinctiveness.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities Policy DP26 in part seeks to ensure that development: *'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 DP29);'*

The relevant paragraphs of Policy CNP1 of the Neighbourhood Plan is as follows:

CNP1.2 Proposals for new development should not cause unacceptable harm to the amenity (including general activity, access, noise, privacy, daylight, and sunlight) of existing and future occupants, both on site and nearby.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, policy CDNP1.2 of the NP is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to the amenity of existing and future occupants as outlined above.

An acoustic report was submitted during the course of the assessment of the application. The report concluded that the impact of the noise would be resolved by the installation of an acoustic cabinet/enclosure. Alternatives considered by the applicant included acoustic and visual screening with a box hedge which was not found to reduce the noise levels sufficiently. Another solution which was suggested was a masonry acoustic screen, however it was deemed that this would have required a long and intrusive length of wall extending into the courtyard.

Environmental Protection were consulted with regards to this application and following the latest heritage and acoustic report responded that, *'The submitted acoustic report demonstrates that the noise from the ASHP will not cause significant adverse impact, as long as the specified acoustic enclosure is correctly fitted. On this basis EP has no objection to the development providing that the appropriate acoustic*

enclosure is installed. Therefore, in terms of noise impact on neighbouring amenities, the proposal is considered to comply with policy CNP1 of the neighbourhood plan.

Also, given its location and size, it will not cause impact to the neighbouring properties in terms of light, outlook or privacy. The proposal is therefore considered to comply with policy CNP1 of the Copthorne Neighbourhood plan.

Impact on Setting of a Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.

Policy DP34 of the Mid Sussex District Plan requires development to protect listed buildings and their settings. Design Principle 11 of the Mid Sussex Design Guide SPD seeks to ensure that heritage assets are enhanced and preserved where appropriate.

Paragraph 207 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as 'The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.' The applicant has failed to provide a Heritage Statement and therefore this criterion has not been met.

Paragraph 208 of the NPPF requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

The NPPF states that 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.

Paragraphs 212 - 215 of the NPPF states:

'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 Conservation Officer was initially consulted when the application was originally submitted for the retention of the ASHP and a louvre screen enclosure. Her response stated (in part) that, *'I note that we have not received a heritage statement with the current application, which would be a validation requirement as the pump is located within the settings of Rowfant Mill, the Mill Cottage, and the curtilage listed barn. This statement should be prepared according to the staged approach to the assessment of development within the setting of heritage assets which is set out in the relevant Historic England guidance GPA Note 3. This statement should also consider the impact of the proposal on the Studio and Lake Cottage in terms of their potential NDHA status.'*

Based on the information currently in front of us, and in the absence of a heritage statement, I would consider the current application contentious in terms of the impact of the ASHP on the settings of the adjacent designated and potential non designated heritage assets. The pump has been placed adjacent to the rear wall of the Studio, within the courtyard area which sits to the front of the Mill, overlooked by its principal façade. This would have been a working yard, at the centre of the mill complex, and both the yard and the arrangement of the buildings around it contribute to an understanding of the narrative of the site, and its former function. The views between the buildings across this yard also contribute to their group value.

In my opinion, the size, appearance and location of the pump in this context are such that it detracts from the settings of the adjacent listed and curtilage listed buildings, in particular the Mill, but also including the Cottage and barn, detracting from the special interests of these buildings and the manner in which these are appreciated, as well as the settings and significances within the local context of the potential NDHAs at Mill Studio and Lake Cottage. The suggestion that the pump could be screened by a louvred air intake screen or potted plants is not considered to adequately mitigate this harm- the screen would be only partly effective in hiding the pump from view and would in itself be an incongruous addition to the courtyard, and the planting could not be given any material weight given the mobile nature of the pots and the ephemeral nature of the planting contained within them.

The proposal is therefore contrary to the requirements of District Plan Policy DP34. In terms of the NPPF, I would identify the harm caused as less than substantial in terms of all of the designated assets, at around the low-mid point of that scale. This harm stands to be weighed against the public benefits of the proposal (para. 215), bearing in mind the great weight that must be given to the conservation of the assets. In terms of the potential NDHAs, I would place the harm as low-moderate, to assets of a possible moderate-high level of interest within the local context (further information from an appropriately detailed Heritage Statement would be required to assess more closely the level of interest of these buildings) (para. 216 of the NPPF).'

Following these comments, the application was subsequently amended to include a metal acoustic enclosure. The Conservation Officer was re-consulted and her responses stated (in part), *'I would consider the revised proposal to result in harm to the affected designated and non-designated assets at a slightly higher level than previously set out, due to the increased scale of the development. No further information has been provided as to the NDHAs within the grouping, so I would on the basis of the information available place their level of interest at moderate-high, within the local context.'*

The Conservation Officer has identified Mill Studio and Lake Cottage as potential non-designated heritage assets of moderate-high significance in the local context. In the absence of a submitted heritage statement, this professional assessment is afforded weight. In agreement with the Conservation Officer, I consider that the enclosure would introduce a visually dominant, modern industrial structure into a historically open courtyard that derives significance from its spatial relationships and historic function.

In terms of the impact, it has been identified that the proposal would result in less than substantial harm to the setting of the listed building. Where the harm would be less than substantial, in terms of the NPPF, the criteria set out in paragraph 215 would apply. This states that *'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'*

This is the balancing exercise that must be undertaken by the decision maker, ensuring that considerable importance and weight is given to the less than substantial harm to the heritage asset that has been identified.

In this case, the Air Source Heat Pump serves a private domestic purpose, associated with a single dwelling. No wider public, environmental or heritage benefits have been demonstrated, and limited weight is attributed to these benefits given the absence of evidence of a whole-building approach or exploration of less harmful alternatives.

In respect of the potential non-designated heritage assets (Mill Studio and Lake Cottage), paragraph 216 of the NPPF requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application, and that a balanced judgement should be reached having regard to the scale of any harm or loss and the significance of the asset. In this instance, I agree with the Conservation Officer's assessment that these buildings are of moderate to high significance within the local context and that the proposal would result in low-moderate harm to that significance. Having regard to paragraph 216, and in the absence of any clear or convincing justification or public benefits of sufficient weight, it is considered that the identified harm to these non-designated heritage assets weighs against the development in the overall planning balance.

It is therefore considered that the proposal does not comply with policy DP34 of the Mid Sussex District Plan.

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 householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

Whilst the principle of a domestic air source heat pump is acceptable in the countryside, the specific form, siting and associated enclosure in this case results in harm to the character of the site and the setting of designated heritage assets.

The harm is considered to be less than substantial and thus para 215 of the NPPF applies. In this case there are not considered to be any material public benefits resulting from the development that would outweigh the identified harm. The proposal is therefore considered to be contrary to the requirements of policies DP26 and DP34 of the Mid Sussex District Plan, policy CNP1 of the Copthorne Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF. Therefore, the application is recommended for refusal.

Decision: Refusal

Case Officer: Tracie Axford