

Heritage Statement

Outline application for planning permission with all matters reserved except for access from Burleigh Lane, for the erection of up to eight self-build / custom build dwellings, drainage and ancillary works.

Land south of Burleigh Lane, Crawley Down

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Heritage Statement

On behalf of

BKJS Developments Ltd

December 2025

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1. Introduction

- 1.1 This Heritage Statement has been prepared by DMH Stallard LLP on behalf of BKJS Developments Ltd (“The Applicant”) to support an outline application for planning permission in relation to land to the south of Burleigh Lane, Crawley Down, RH10 4LF (“The Application Site”) for the following proposed development:
- “Outline application for planning permission with all matters reserved except for access from Burleigh Lane, for the erection of up to eight self-build / custom build dwellings, drainage and ancillary works”.*
- 1.2 The Application Site does not lie within or in close proximity to a designated conservation area and neither are there any designated or non-designated heritage assets within the it.
- 1.3 This Heritage Statement sets out the relevant legislative and policy framework in relation to matters affecting heritage assets and provides an assessment of the impact of the development on the significance of the heritage asset’s setting.

2. Legislative and Planning Policy Framework

- 2.1 The National Planning Policy Framework (NPPF) states that applicants for planning permission should consider the potential impact of development upon ‘heritage assets’ which comprise designated heritage assets for example listed buildings and conservation areas, and non-designated heritage assets typically identified by local planning authorities and included in a local list and / or recorded on the Historic Environment Record.

Legislation

- 2.2 Where development affects certain designated heritage assets the Planning (Listed Buildings and Conservation Areas) Act 1990 ensures proposed works are developed and considered with due regard to their impact on designated heritage assets.

- 2.3 Section 66 of the 1990 Act that states “In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.
- 2.4 The meaning and effect of these duties have been considered by the courts, including the Court of Appeal’s decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire Council* [2014] EWCA Civ 137. Here the Court agreed with the decision of the high Court that Parliament’s intention in enacting section 66(1) of the 1990 Act was that decision makers should give ‘considerable importance and weight’ to the desirability of preserving the setting of listed buildings.

National Planning Policy Framework

- 2.5 The NPPF is the principal source of the Government’s planning policy in England. It defines heritage assets as “A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”
- 2.6 Section 16 of the December 2024 NPPF deals with conserving and enhancing the historic environment for both plan production and decision taking. It emphasises that heritage assets are an ‘irreplaceable resource, and should be conserved in a manner appropriate to their significance’.
- 2.7 For proposals that have the potential to affect the significance of a heritage asset, paragraph 207 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their setting. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 208 which requires local planning authorities to take this assessment into account when considering applications.

- 2.8 Under 'considering potential impacts' paragraph 212 'great weight' should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.
- 2.8 Paragraph 214 states that where a development will result in substantial harm to, or total loss of, the significance of that designated heritage asset, permission should be refused unless the harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified, paragraph 215 requires this harm to be weighed against the public benefits of the proposal.

Planning Practice Guidance

- 2.9 Planning Practice Guidance (PPG) supports the implementation of the NPPF. It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.
- 2.10 The PPG defines the heritage interests as follows:
- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
 - architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
 - historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history but

can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

- 2.11 Key elements of the guidance relate to assessing harm. It states that substantial harm is a high bar that may not arise in many cases. It also states that while the level of harm will be at the discretion of the decision maker, generally substantial harm is a high test that will only arise where a development seriously affects a key element of an asset's special interest. It is the degree of harm, rather than the scale of development, that is to be assessed.

Adopted Planning Policy

- 2.12 The Mid-Sussex District Plan was adopted in March 2018. The plan contains the following policies that are relevant to this proposal.

Policy DP34 – Listed Buildings and other Heritage Assets

“Strategic Objectives: 2) To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.

Evidence Base: West Sussex Historic Environment Record; Register of Listed Buildings.

Listed Buildings

Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- 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;

- 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;
- Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;
- 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;
- Special regard is given to protecting the setting of a listed building;
- 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.

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District.

Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance”.

3. Historic Built Environment Appraisal

- 3.1 The Application Site comprises a single field abutting the southern side of Burleigh Lane this has a treed boundary to all sides.
- 3.2 The Application Site is bounded by Burleigh Lane to the north, beyond which is land which is highly likely to be developed with housing in the near future as the land is allocated for new housing and is currently subject to a planning application for new housing (MSDC ref: DM/25/1593) which has recently been resolved to be approved by MSDC subject to the completion of a Section 106 Agreement.
- 3.3 To the east, the Application Site adjoins a single dwelling with annex building, Hedgerows. The southern boundary is formed of a tree belt beyond which is pastureland with a sand school. To the west is further pastureland located between the Application Site and the properties located on the eastern side of Sandhill Lane.
- 3.4 There is a single heritage asset located in proximity to the Application Site, Burleigh Cottage which is Grade II Listed and is located approximately 110 metres to the west of the north-western corner of the Application Site, on the northern side of Burleigh Lane. At its closest the curtilage to Burleigh Cottage is located some 60 metres from the north-western corner of the Application Site.
- 3.5 The Application Site does not lie within or close to a conservation area. The Application Site does not contain any designated or non-designated heritage assets.
- 3.6 Various photographs of the site are provided in Parts 3 and 5 and Annex 3 of the Landscape and Visual Impact Appraisal report prepared by Landscape Visual Limited that is submitted as part of the application

4. Proposals and Assessment of Significance and Impact

- 4.1 Whilst there are designated built heritage assets within a 1km radius of the Application Site, the vast majority will be unaffected by the proposed development and are not

considered further. The only built heritage asset that is impacted by the proposals due to a change to its setting is Burleigh Cottage.



Above: Proposed Indicative Site Layout

- 4.2 The list description for Burleigh Cottage states: *“C17. Two storeys. Two windows. Ground floor painted brick, above faced with tarred weather-boarding. Tiled roof with pentice to west. Casement windows. Large modern gabled porch. Tall brick end stack.”*
- 4.3 The building’s grounds are highly enclosed with the exception of the southern boundary to Burleigh Lane itself and form a close setting around the building. Both the northern and eastern ends of the building’s plot are densely planted with trees. Beyond the grounds to the north, south and west are the developed parts of Crawley Down and

whilst there is an open pasture field currently to the east, this will change and be developed assuming planning permission DM/25/1593 is granted following the completion of a Section 106 Agreement and the permission is implemented. In any event this land is allocated for development in the Site Allocations Document under SA22.

- 4.4 The setting of Burleigh Cottage has changed substantially in the 20th Century with development now located on almost all sides of the plot with the eastern side to be developed in due course.
- 4.5 The proposed development will not change any element of the building's architectural or historic interest. Furthermore, the proposals will not alter the way the heritage asset is understood or appreciated. Neither will the proposals diminish the positive contribution that the building makes to the street scene.
- 4.6 The proposed development will alter the appearance of the Application Site. However, due to the separation distance of the Application Site from the heritage asset and the intervening vegetation and treed boundary to Burleigh Lane, it is considered that there would be no appreciable impact on the setting of any Heritage asset and the impact can be best described as neutral. Even if there was considered to be some harm it would be negligible – at the lowest end of the 'less than substantial' range, as there would be no element of the building's intrinsic architectural or historic interest that would be changed or any ability to appreciate those interests lost as a result of the proposed development.
- 4.7 In accordance with paragraph 215 of the NPPF, any such low level of less than substantial harm should be weighed against the public benefits of the proposed development. In addition, this low level of less than substantial harm is such that this would not provide a strong reason to refusing the development proposed and thus paragraph 11(d)i in the NPPF is not engaged.

5. Conclusions

- 5.1 This Heritage Statement as been prepared by DMH Stallard LLP on behalf of BKJS Developments Limited to assess the potential built heritage impacts arising from the proposed development at land south of Burleigh Lane, Crawley Down.
- 5.2 The proposed development will alter the appearance of the Application Site and will represent a change within the setting of a single built heritage asset, the Grade II listed Burleigh Cottage which lies to the west of the Application Site.
- 5.3 Due to the separation distance of the Application Site from the heritage asset and the intervening vegetation and treed boundary to Burleigh Lane, it is considered that there would be no appreciable impact on the setting of the heritage asset and the impact can be best described as neutral, or at the lowest end of the less than substantial range.
- 5.4 In accordance with paragraph 215 of the NPPF, any degree of less than substantial harm must be weighed against the public benefits of the proposal which are set out in the supporting Planning Statement for this proposal.