

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2872	Case Officer:	Catherine Cardin
Application Type:	Listed Building Consent		
Proposal:	Proposed three conservation rooflights.		
Site:	The White Harte Inn, South Street, Cuckfield, Haywards Heath, West Sussex, RH17 5LB, ,		
Validation Date	25 Nov 2024	Overall Expiry Date:	6 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	31 Jan 2025
Target Date:	20 Jan 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	31 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2872

**The White Harte Inn, South Street, Cuckfield, Haywards Heath, West Sussex, RH17 5LB,
Proposed three conservation rooflights.
Mr Kevin Smith**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Conservation Officer

This heritage statement suggests that the main roof structure of the building, including the rear roof slope affected by the current proposal, dates from the 17th century, and that although recovered in the later 20th or thereabouts, the timber frame beneath appears to be original. The proposed installation of three rooflights involves cutting out sections of original rafter in each case, totalling (it is estimated) about 5 metres of original timber.

Both the form and fabric of the timber framing will contribute very significantly to the special architectural interest of the listed building. In this context, in my opinion, the proposed loss of original fabric from the frame of the building will have a detrimental impact on this special interest. The adverse impact on the integrity and completeness of the original frame will also be a consideration (notwithstanding that it is noted that there will be no adverse structural impact).

Furthermore, the uninterrupted sweep of the rear catslide roof slope to the building is a prominent and attractive feature in views from the rear from the direction of the church lych gate. The introduction of the proposed three rooflights will have a small but negative impact on these views, in introducing an element of visual clutter to the roof. This will exacerbate the harm caused by the impact on the historic roof structure.

The proposal is therefore in my opinion harmful to the special interest of the listed building, and the positive contribution which it makes to the character and appearance of the Cuckfield Conservation Area. This will be contrary to the requirements of District Plan Policies DP34 and DP35. In terms of the NPPF, the proposal will result in less than substantial harm to both affected assets, at the mid range of that scale in relation to the listed building, and at the lower end with respect to the Conservation Area.

An alternative proposal to set a smaller number of smaller (narrower) rooflights between the existing rafters, with no associated loss of historic fabric, might be more favourably viewed.

PARISH COUNCIL OBSERVATIONS

No objection.

INTRODUCTION

This application seeks listed building consent for the installation of three conservation roof lights to the rear of a grade II listed public house.

RELEVANT PLANNING HISTORY

CU/069/74- Advertisement Application. Refused.

CU/133/81- Two non-illuminated fascia signs. Refused.

CU/086/88- Repaint existing gable end pictorial and to replace existing G.R.P amenity boards with golf leaf G.R.P maroon amenity board. Refused.

CU/075/88- 5 amenity boards, 2 roundels, 3 noval country lanterns and one timber fascia sign. Refused.

SITE AND SURROUNDINGS

The White Harte Inn is a grade II listed public house. The public house is two storeys in height, with a pitched gabled roof. It is constructed of red brick, some of which has been rendered, with tile hanging at the first floor level, a plain tile roof and timber windows.

To the east of the public house there is a public parking area and the highway is to the west. The nearest neighbours located to the north and south, which are also listed buildings.

The site is located within the built up area of Cuckfield and within the Cuckfield Conservation Area.

APPLICATION DETAILS

The application seeks listed building consent to install three conservation roof lights to the rear roofslope.

These would measure some 0.8 metres in length and some 0.5 metres in width.

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 Cuckfield 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:

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

Cuckfield Neighbourhood Plan (made 2014)

There are no relevant policies.

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 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 2024)

ASSESSMENT

The only issue to consider in this instance is the impact on the listed building.

The LPA is under a duty by virtue of s.16(2) of the Planning (Listed Building and Conservation Area) (LBCA) Act 1990:

'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'.

Policy DP34 of the Mid Sussex District Plan states:

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

- o 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;*
- o 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;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*

Paragraphs 212 - 215 of the NPPF state:

'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.'

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.'

Paragraph 6.3.8 of the Design Guide relates specifically to rooflights:

'Rooflights that follow the roof profile can be an appropriate substitute for a dormer where it is important to retain the profile of the roof slope or avoid a dormer that break the eaves line. Care though needs to be taken to avoid them dominating the roof. Rooflights are best designed with a slender-profile that are flush with the roof slope'.

The application site, the White Harte Inn, is a grade II listed building that dates from the 17th century. It is situated in the built-up area of Cuckfield.

The current proposal relates to installing three conservation roof lights to the rear of the building on the eastern elevation. Due to the property being Grade II listed, the Conservation Officer has commented on the application, and those are reproduced above.

The Conservation Officer has advised that the main roof structure of the building, including the rear roof slope affected by the current proposal, dates from the 17th century, and that although recovered in the later 20th century or thereabouts, the timber frame beneath appears to be original. To install the rooflights this would require the cutting of these original rafter, which would affect roughly 5 metres of original timber. Both the form and fabric of the timber framing contribute very significantly to the special architectural interest of the listed building. This proposed loss of original fabric from the frame of the building is advised as having a detrimental impact on the special architectural interest of the listed building. In addition, the adverse impact on the integrity and completeness of the original frame is also a consideration in this assessment.

It is further advised that the proposed rooflights will introduce an element of visual clutter to the roof, with the roof being considered a prominent and attractive feature in views from the rear from the direction of

the church lych gate. It is considered that this will exacerbate the harm caused by the impact on the historic roof structure.

It is therefore concluded by the Conservation Officer that the proposed rooflights would be harmful to the special interest of the listed building. These views are supported by the planning officer. As such, the proposal would fail to meet the requirements of District Plan policy DP34 and the Council's adopted Design Guide. In terms of the NPPF, the proposal will cause less than substantial harm at the mid-range of that scale in relation to the listed building.

Under the NPPF, where harm is identified to a heritage asset this must be weighed against the public benefits of the scheme. The Conservation Officer has identified the harm as less than substantial; therefore the test under paragraph 215 of the NPPF applies. 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. It should be noted that National Planning Practice Guidance states that public benefit 'should not just be a private benefit'.

The proposed rooflights are intended to provide additional natural light within the attic rooms of the public house. This would continue to provide storage associated with the public house and the residential flat within. No case has been presented which identifies a public benefit of the proposal. The property remains in its original use and is not considered to be at risk. The Conservation Officer has also commented that an alternative scheme could be acceptable, demonstrating that there are some options available for the applicant.

It is therefore concluded that the proposal as submitted harms the special interest of this grade II listed building and there are no public benefits that would outweigh the harm identified.

CONCLUSION

In conclusion, it is considered that the proposed rooflights would harm the special interest of the listed building. Their addition would affect the form and fabric of the property's timber framing, which contributes very significantly to the architectural interest of the listed building. The installation of the rooflights would require the removal of sections of original timber which would have a detrimental impact on its special interest, as well as adversely impact the integrity and completeness of the original frame. Furthermore, the rooflights would add visual clutter to the rear catslide roof, which is currently uninterrupted and a prominent and attractive feature.

This harm is identified as less than substantial, at the mid range of the scale in relation to the listed building, and there are no public benefits identified that would outweigh this harm. As a result, the proposal fails to comply with policy DP34 of the District Plan, the Mid Sussex Design Guide SPD, as well as the requirements of both the NPPF and the Listed Building and Conservation Area (LBCA) Act 1990.

Decision: Refusal

Case Officer: Catherine Cardin