

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3110	Case Officer:	Stefan Galyas
Application Type:	Listed Building Consent		
Proposal:	General repairs and conservation works. External and internal alterations including replacement and alteration of modern windows and minor changes to internal layout. Installation of photovoltaic panels, construction of workshop and covered patio area. Associated landscape works		
Site:	Rose Cottage, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EN, ,		
Validation Date	20 Dec 2024	Overall Expiry Date:	26 Mar 2025
Pre-Commencement Conditions Required:	Yes	Pre-Com Conditions Date Agreed:	9 Apr 2025
Recommendation:	Permission	Recommendation Date:	9 Apr 2025
Target Date:	14 Feb 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	9 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3110

Rose Cottage, High Street, Cuckfield, Haywards Heath, West Sussex, RH17 5EN,
General repairs and conservation works. External and internal alterations including replacement and alteration of modern windows and minor changes to internal layout. Installation of photovoltaic panels, construction of workshop and covered patio area. Associated landscape works
Mr And Mrs Clark

SUMMARY OF REPRESENTATIONS

There was one letter of representation received in response to the proposed development which supported the application. The representation letter quoted that the proposal would sympathetically modernised and updated.

SUMMARY OF CONSULTEES

Place Services Ecological Consultant: *No ecological objections. However it was highlighted that a bat mitigation licence would be required to implement works under any Listed Building Consent issued.*

Conservation Officer: *'The proposal has been amended to address concerns previously raised:*
- At attic level within the house the collars within both bedrooms are now shown as retained, with lathe and plaster reinstated to the ceiling of the southern room. This aspect of the proposal is now considered acceptable.

The proposal as revised is therefore considered to preserve the special interest of the listed building and the setting of the Cuckfield Conservation Area. This meets the requirements of District Plan policies DP34 and DP35 and the relevant paragraphs of the NPPF.'

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: No objection.

INTRODUCTION

The application seeks listed building consent for the replacement and alteration of windows and doorways to the existing dwelling. The proposal would also make alterations to the existing partitions internally as well as the existing roofing at attic level.

RELEVANT PLANNING HISTORY

CU/010/94 - Demolition of existing subsidence damaged garage, erection of new garage of same dimensions in the same position. Refusal 29.04.1994.

CU/027/94 - Demolition of existing subsidence damaged garage, erection of new garage of same dimensions with new pitched roof. Permission 30.06.1994.

SITE AND SURROUNDINGS

The application relates to Rose Cottage, a grade II listed property which occupies the southern corner of the junction between London Lane (north) and the B2036 (west). The building is constructed of a brick exterior with a tiled roof in a pitched format. The building is listed under the following description:

House and surgery. Exterior appearance of early C19 altered C20 but said to have a brick dated 1720. Red brick with tiled roof. L-shaped building of 2 storeys with 2 windows and central window space. 16-pane sash windows with cambered heads and gauged brick arches. Central doorcase with flat hood on brackets, semi-circular fanlight, panelled reveals, pilasters and 6-fielded panelled door. 2 sashes to L-wing. Interior contains plain early C19 staircase.

The site is located within the built up area boundary for Cuckfield and is set nearby a number of other grade II listed buildings such as The Rose and Crown public house to the north.

APPLICATION DETAILS

The application seeks listed building consent for the replacement and alteration of the existing properties windows including the replacement of the modern Crittal windows with slimline double glazed timber casement units. The existing rotten windows would be refurbished and have a secondary glazing added. The proposal would also open up the pair of existing blocked lightwells at the base of the southern elevation. The existing open porch structure at the ground floor of the 20th century rear addition would be infilled with a new doorway proposed to the eastern elevation.

Internally, insulation would be added between the joists of the overlying ceiling and ground floor structure in the cellar. The cobble flooring within the cellar would also be lifted and relaid with the paintwork within removed and repointed.

There would be two log burners installed within the existing fireplaces and partition the southern bedroom at first floor level to create a new en-suite. At attic level the collars would be retained with a lathe and plaster reinstated to the ceiling of southern room.

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:

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.

Neighbourhood Plan

Cuckfield Neighbourhood Plan (Made May 2014)

Relevant Policies:

Policy CNP1 - Design of New Development and Conservation

CNP10 - Building Extensions Within and Outside the Built-Up Area Boundary

Other Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) - 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

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) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to some of the Policies in the draft District Plan. 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:

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. Paragraphs 2, 8, 11, 39, 48, 131, 135, 139, 207, 208, 209, 212-215, 219 & 220.

ASSESSMENT

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

- Impact on Heritage Assets and Character and Design

Impact on Heritage Assets and Character and Design

With regard to the setting of the listed building, DP34 requires:

'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;*

o 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;
o Special regard is given to protecting the setting of a listed building;
o 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.'

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 provided a Heritage Statement in support of the application which assesses the proposals impact on the relevant heritage assets. Therefore, this requirement of the NPPF is considered to have 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 listed building is considered to be significant in heritage terms by virtue of its designation and this significance is likely to arise from its historical, aesthetic (fortuitous) value and historical (illustrative) value.

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.'

Policy DP26 of the District Plan states:

'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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o 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'*

Policy CNP1 of the Cuckfield Neighbourhood Plan states that:

'New development in accordance with the Neighbourhood Plan will be permitted where it:

- a) Is designed to a high quality which responds to the heritage and distinctive character and reflects the identity of the local context of Cuckfield as defined on Map 3 - Conservation Areas and Character Areas, by way of;*
- i. height, scale, spacing, layout, orientation, design and materials of buildings,*
- ii. the scale, design and materials of the public realm (highways, footways, open space and landscape), and*
- b) Is sympathetic to the setting of any heritage asset and*
- c) Follows guidance in the Conservation Area Appraisals and Management Plans, the High Weald AONB Management Plan, and*
- d) Respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site, and*
- e) Creates safe, accessible and well-connected environments that meet the needs of users, and*
- f) Will not result in unacceptable levels of light, noise, air or water pollution, and*
- g) Makes best use of the site to accommodate development.'*

Additionally, Policy CNP10 of the Neighbourhood Plan states:

'Building extension will be permitted where it meets the following criteria:

- a) The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- b) Spacing between buildings would respect the character of the street scene.*
- c) Gaps which provide views out of the village to surrounding countryside are maintained.*
- d) Materials are compatible with the materials of the existing building.*
- e) The traditional boundary treatment of an area is retained and, where feasible, reinforced and*
- f) The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

The below assessment is made whilst being mindful of this guidance and having regard to the statutory duty of the Council, as the Local Planning Authority, to have special regard to the desirability of preserving the listed building or its setting in accordance with the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

External Alterations

A number of alterations would be made to the existing doorways and windows towards the rear of the property, including on the southern and eastern elevations. To the southern elevation, a number of ground floor windows and doors would be removed and replaced with a painted timber framed slimline double glazed bi-folding doors and windows. The existing rotten windows would be refurbished throughout and have an additional layer of glazing. No further concerns were raised following consultation with the Council's Conservation Officer, however a condition ensuring further details of materials and drawings throughout are provided is considered reasonable and necessary in the instance that listed building consent is granted.

Internal Alterations

The proposal would make several alterations to the existing cellar area including insulation to the joists of the ceiling and the lifting and relaying of the existing cobble flooring in order to create better drainage within. The existing paint would be removed to the existing walls which in turn would be repointed. The Conservation Officer found that these works were not found to be contentious.

Other internal alterations would include two log burners being installed within the existing fireplaces and the partitioning of the southern bedroom at first floor level to create a new en-suite. These works were also found to be acceptable by the Conservation Officer.

At attic level the collars would be retained with a lathe and plaster reinstated to the ceiling of southern room. It was proposed during the applications lifecycle that the more modern collars would be omitted while the more historic ones retained following concerns raised by the Conservation Officer. However, it was agreed upon that all the collars would be retained as part of the development proposal and no further concerns were raised on the Council's behalf.

In light of the above, the proposal is considered to preserve the special interest of the listed building. The proposal would not significantly remove nor alter the existing historic fabric and as such would comply with the provisions of Policies DP26 and DP34 of the District Plan, Policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan and the statutory duties as set out within the Listed Buildings and Conservation Areas Act.

PLANNING BALANCE AND CONCLUSION

To summarise, it is considered that the proposals will have an acceptable impact on the listed building. As such, the application complies with Policies DP26 and DP34 of the Mid Sussex District Plan, Policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan, the Mid Sussex Design Guide, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) act and the National Planning Policy Framework.

Decision: Permission

Case Officer: Stefan Galyas