

From: Emily Wade <Emily.Wade@midsussex.gov.uk>
Sent: 11 November 2025 16:03:30 UTC+00:00
To: "Susan Dubberley" <Susan.Dubberley@midsussex.gov.uk>
Cc: "Beth Howland-Smith" <Beth.Howland-Smith@midsussex.gov.uk>; "Steve Ashdown" <Steve.Ashdown@midsussex.gov.uk>
Subject: Marlow House DM/25/1103 and 1104

Hi Sue

Further comments on the above application, following the receipt of a revised DAS, revised drawings and an updated Heritage Statement.

Please note that I will only comment here on any new or revised information, in all other respects the comments previously provided on 23rd June remain relevant. As we do not appear to have received from the applicant a schedule or list of the changes which have been made, it will be easier to use the revised Design and Access Statement, viewed alongside the most recent set of plans, in comparison with the previous versions of these documents, as a structure for these further comments. I will then move on to consider any relevant further arguments within the revised Heritage Statement.

We have also now received the formal consultation response from Historic England, to which I will make reference as appropriate.

External works:

- The DAS has been revised to include further arguments relating to the demolition and rebuilding of the bakehouse. Although the document now suggests that the partial reconstruction of the bakehouse was part of the approved scheme, this is misleading- alterations were approved, but these could not be described as reconstruction. Emphasis is also placed on the use of the brick approved in respect of the alterations in the reconstruction of the building. This does not mitigate the loss of historic fabric or character which has occurred.

I note that Historic England object to this aspect of the proposal. In their assessment of the significance of the building, they comment on its multi-phase character, and on importance of 19th century elements such as the bakehouse (which was in place by 1848) in contributing to an understanding of the changes made to the building at that time, including its partly commercial role. With respect to the rebuilding of this structure, they comment that *'the bakehouse replicates the original form only superficially and incorporates design features inconsistent with its historic character. In particular, on the west elevation, the previously approved Crittall-style frame has been replaced by a visually prominent full-height glazed element of stark contemporary design, more akin to the character of the implemented rear extension than that of the historic bakehouse.'*

- Further photographs included within the revised DAS demonstrate that the internalised early 19th century rear wing is barely visible in external views, contrary to the applicant's suggestion. This is supported by the opinion expressed by Historic England on the unacceptability of this measure as mitigation for the enclosure of the first floor of the wing and its Gothic window within the enlarged rear extension.
- With respect to the removal of the 19th century chimney stack I note that the DAS has been corrected to show that the quoted comments on page 124 originate in a Gould Baxter Condition Report not forming part of the original application and not as previously suggested in the original Desbruslais Heritage Statement. However, my comments regarding this report remain pertinent- it suggests only minor repairs, not that the stack was in poor structural condition as the applicant states. The McCarey Simmonds letter, reproduced in full, does not constitute a structural report and was clearly produced from photographs and without an onsite inspection. It notes a number of potential issues, but it does not state as the applicant suggests that the stack was structurally unsound to the extent that it required removal. The weight that could be attached to such a short note produced without a firsthand inspection of the feature concerned must in any case be questionable. It should be emphasised that the Gould Baxter report, which was produced with such an inspection, does not suggest that the chimney should be removed.

Historic England have commented that *'Although not original to the building's foundation, the presumed early 19th-century chimney stack on the north wall, raising from ground to roof, provided evidence of construction phases. Its unauthorised demolition, reportedly on structural grounds, has harmed significance by removing an important evidential element.'*

- The removal or under implementation of a number of rooflights from the rear roofslope of the house is a minor heritage benefit which is noted but is not considered to outweigh the harm caused elsewhere to the building.
- The re-rendering of the façade of the building was part of the approved applications and while beneficial, could have been undertaken as part of these works without any of the harms which have accrued from the scheme as implemented. The same would apply to works of repointing.

Internal works:

- With respect to the extensive works at basement level, the revised DAS states that *'the appearance of the cellar is commensurate with what was present when the previous tenants were stewards of the property'*. This however is contradicted by the Desbruslais Heritage Statement submitted with the original applications (the author of which will have seen the house prior to the commencement of

works), which states that *'The cellar structure is dressed stone and ample remains are still in situ. In the 18th, or early 19th century, the cellar was extended under the more central part of the house with brick masonry retaining walls and a new staircase leading from the far end of the cross passage.'* Notwithstanding that lime render is in some circumstances an appropriate material for use within traditional buildings, it is clear that its extensive application here has resulted in a very significant loss of character to the cellar space. No evidence, such as a report by an appropriately qualified damp specialist, has been submitted to demonstrate that this work is *'highly critical for the ongoing health of the building'*.

- The proposal with respect to the historic staircase has been amended to the reinstatement of a staircase at both levels using according to the DAS and plans *'original materials'*, the staircase to be *'close in form to the original'* but with the staircase enclosure omitted.

Firstly, although we have previously asked for evidence that fabric from the demolished historic staircase has been retained, this has not been provided. The weight which can be attached to this aspect of the proposal must therefore be correspondingly limited. The submitted DAS is also contradictory regarding the materials to be used - the ground to first floor staircase materials are in some places referred to as *'original'* and elsewhere within the same document as *'timber to resemble original'* (p. 117). The materials for the first floor to attic are also variously described as *'original'* and *'salvaged'*, with no indication of where from (p.117).

The form of the reinstated stair is described as *'visually unobtrusive with open thread steps.'* It is shown at both floors as having a central supporting steel post with the timber treads notched into it, with steel strings to the upper steps. This does not reflect the form, construction, materials or character of the historic staircase which was removed. The historic staircase, which was a winder stair with closed thread timber steps within a timber framed enclosure, was a key feature of the house and was not intended to be *'unobtrusive'*. It is further noted that the stair is not intended for practical use but as a decorative feature. This does not therefore serve to reinstate the vertical access from ground to first floor within the historic core of the house which was a key component of the legibility of its plan form and flow. It also seems to contradict statements elsewhere in the application documents, as the applicant claims that creating an access hatch above the first floor to attic stair is a positive aspect of the scheme, but the hatch will serve no practical purpose if the stair is not intended to be usable.

The proposal does not include the reinstatement of the enclosure which was a key aspect of the historic stair's character. Therefore, although the reinstatement of vertical access between the floors of the historic core of the building would be a key requirement of any remedial works, the current proposal does not, despite

the revisions, mitigate for the loss of the historic staircase and enclosure, including the 17th century fabric which has been lost.

I note that Historic England conclude that 'Although the stair flight from ground to first floor appears to have been altered or replaced in the late 20th century, its position remained as original and the enclosure survived. The complete removal of the stair and enclosure has caused a high level of harm to significance beyond the loss of historic fabric as the unit illustrated the historic circulation pattern and evolution of planform, from a hall house to a fully floored structure.'

To regularise these works, it is proposed to build a winder staircase from ground to attic level using salvaged treads and carriage pieces where possible, but omitting the enclosure, plastered soffit and timber risers. The resulting permeable structure, supported on a metal post, would not be an accurate reconstruction and would read as a confusing modern insertion. Although the proposal includes reinstating access to the attic via a hatch - previously floored over - we do not consider this sufficient to outweigh the harm caused.'

The claim is again made that the removal of the staircase from first floor to attic was part of the approved scheme, however it will be clear from inspection of the approved first floor plan that this is not the case. Also, for clarity, the ground to first floor staircase is again described as being of modern materials. Whilst there is evidence to suggest that this part of the stair had been altered, and was not of the same age in its entirety as the upper section, there is no indication that it was entirely modern. This statement is therefore misleading, and is not '*widely accepted by all*'. Very little weight can be placed on any conclusions drawn by the HCUK Heritage Statement in this respect as this company was not involved in the original applications and the author as far as I am aware did not have sight of the stair before it was demolished. Historic planning drawings cannot be relied upon as there is no certainty as to whether works shown were ever implemented- that the pre-existing state of this part of the ground floor did not reflect the arrangement shown in the 1999 plan attached to the heritage statement would strongly suggest not. The Scope of Works document quoted from did not form part of the approved scheme, and nor did tanking of the basement.

I would also like to state, once more for the record, that at no time did I verbally approve the removal of the staircase.

- With respect to the basement access below the stair, the revised proposal is for retention of an access hatch in a revised form under the proposed new ground to first floor stair. However, this does not reinstate the historic form of the access, which was by a doorway to the side of the stair enclosure opening onto the cellar steps. In addition, the basement access hatch as installed has been formed from 17th century floorboards removed from the attic without consent, and cut up (other boards have been treated in a similar manner to create doors). This revised proposal would cause further damage to and potential loss of this historic

fabric by further cutting down of the boards to create a two-leafed hatch. It also does not address the loss of fabric from the attic space- the Council may require that the boards which are retained, but down and reused within the building (rather than lost entirely) are reinstated in their original position.

- Reinstatement of attic access above the staircase with an access hatch. Whilst in theory reinstatement of access to the attic from the staircase would be beneficial, the DAS suggests that this will not be readily usable due to the design of the underlying replacement stair. Any heritage benefit arising from this must be regarded as minor, and does not outweigh the harms caused by the works elsewhere. I am also concerned that the hatch appears potentially to be proposed to be made from more cut down floorboards- '*salvaged planks*'- it is not clear from where these will have been 'salvaged'? If further original boards survive, they should be relaid elsewhere in the attic and not cut down.
- The reinstatement of a door jamb to main northern reception room at ground floor is now proposed, where a historic partition has been removed without consent. Although the reinstatement of a timber post in this position goes a small way, in combination with the larger post to the centre of the room which was installed as part of the approved scheme, to suggest the presence of some form of partition in this position, it is not sufficient to fully reinstate this aspect of the historic plan form of the building which was removed without consent. It does not mitigate for the loss of fabric, which included not only the original door jamb in this position, but an adjacent horizontal member (ref. annotated photo on p.118 of the previous version of the DAS), nor does it have the same impact on the character of the spaces affected as the solid partition which was previously in place. It is accepted that this partition had been altered, and that some or all of the infill panels may have been replaced. However, the historic timbers and the presence of the solid partition were significant to an understanding of the historic plan form of this part of the building, and the current proposal is not adequate mitigation for its loss.

The argument that the removal of the partition was necessary to facilitate the replacement of the structural timber post cannot be supported. At the time of the original applications a structural engineer was involved with this aspect of the scheme (the replacement of the post was part of the approved works), but at no time was it suggested that the partition would need to be removed for this to be achieved. Therefore, although it is accepted that the replacement of the previous steel prop with a timber post, as per the previous approval, is a clear heritage benefit, this is not dependant on the loss of the adjacent partition. The one therefore does not justify the other. The overall balance of heritage benefit to disbenefit of the scheme has been discussed previously but I will revisit it in my conclusions below.

The further suggestion that this work should be acceptable as it 'facilitates modern living' also is not accepted given that the space in question is within a

15th century listed building, that the room is a good sized space which would have been largely open even with the retention of the previously surviving partition, which was only part width, and that the approved scheme contained a very significant open space within the replacement rear extensions.

- With respect to the WC which has been created by subdivision of the southern room at ground floor, a photograph has now been provided within the DAS (and the heritage statement) to suggest that at some point there was previously a partition subdividing this room north-south, although not in the position of the partition which has been recently inserted without consent. There is no indication, however, of the date of this former partition, or whether or not it was original or early. As such, it provides only slight precedent for the current proposal, particularly as it is not on the same line as that which has been installed. In contrast, the partition which has been removed to the hall facing northern side of the room was certainly (although at least partly of modern material) on the line of an original wall. The loss of this as previously discussed adversely affects the historic plan form and special interest of the building. The comments received from Historic England would be supportive of this view, stating that *'Harm has... occurred through alteration of the original bay planform.'*
- With respect to the reinstatement of a false door between the hallway and central bathroom at first floor level, this has been amended to state that the door will now be exposed to both sides of the wall. However, the sink is to be retained in this position, removing any possibility of easily reopening this access, whereas as approved the existing door was to be retained but simply locked shut. The applicant has noted that in the approved scheme the sink was also to be located against a previous door position, however this door was not to an original partition and did locating the sink here did not block access between the two ends of the building. I remain of the opinion, whilst noting Historic England's views on this matter, that the current proposal, although an improvement over the scheme as submitted, does not adequately mitigate the harm caused to the listed building.
- With respect to the historic partition to the southern side of the northern bedroom, the point regarding the possible location of a previous door is noted- however no photographic evidence of the suggested hinge marks to the adjacent timber has been provided. With respect to the loss of the infill from this partition, as this has been removed without consent the assertion that it was modern appears impossible to substantiate.
- Removed door jamb to northern bedroom to be reinstated? (Point 13 p.79 of DAS, list of points where application scheme differs from approved scheme). I believe this may be a typing error?
- It is now proposed whilst retaining the vaulted ceiling above the south-eastern bedroom to reinstate floorboards to the southwestern corner of the attic space.

However, there is no indication that the applicant intends to reinstate the original 17th century boards which were removed, even where these have been retained and cut up to be used elsewhere throughout the house. This is not adequate mitigation for the loss of this historic fabric of significance, particularly where this apparently survives (albeit cut down) and could be reinstated, and does not address the loss of the fabric (floor structure and overlying floorboards) to the southeastern part of the attic.

- In relation to the vaulted ceiling, the revised DAS suggests that the removal of wallpaper exposing more of the framing, along with exposing parts of the roof frame to view from the bedroom, justifies this work. However, in my opinion this does not mitigate for the loss of the historic floor structure above the bedroom, or the impact on the proportions of the room. The applicant's claim that the overlying floor structure was modern is not supported by any evidence, and can be given no weight. The associated removal of the 17th century floor boards at attic level is also as previously discussed contentious- it is interesting to note these boards are described in relation to the justification for the works to the bedroom ceiling and attic floor as rotten and wood worm infested, and yet these same boards have been cut up and used throughout the house for other purposes, which would suggest that their condition was in fact good.
- With respect to the historic floorboards at first floor, whilst the applicant indicates willingness to lift areas to demonstrate that the boards do survive underneath the new finish, until this has been done we are unfortunately unable to confirm whether or not they remain present. In any case, the previously raised objections to the covering of this historic fabric, which was a key component of the character of the rooms affected, would not be fully addressed by this. The damage caused by the fixing down of the new flooring is also an issue- the applicant suggests that laying carpet would be similarly damaging, however if this were the case this work would require listed building consent and would be unlikely to be supported.
- In relation to the removal of the internal casement windows, I note and would agree with the points made by Historic England.
- The timber frame appears to have been cleaned throughout internally. The applicant regards this as a heritage benefit. I believe I have asked previously for clarification as to whether the soot blackening noted in the original Desbruslais Heritage Statement, which is important evidentially, has been preserved, however the notes within the revised DAS are not clear on this point. With regards to the cleaning in general, whilst this may not be regarded as contentious subject to the above point, it could have been undertaken alongside the approved scheme (with consent in place) without any of the harms arising from the current proposal.

With respect to the revised Heritage Statement dated September 2025, although I have read and considered the further arguments made particularly in sections 1.6 – 1.11 and Chapter 5, I do not find that these alter my position on the applications. The revised proposals with respect to the historic staircase, attic floorboards and partition within the main ground floor reception room are discussed in above in the context of the revised and expanded DAS, however there are a few points within the discussion of the merits of the scheme contained within Chapter 5 of the Heritage Statement which I would draw out here, in light of these revisions and of the Historic England consultation response.

Works to the historic staircase:

- The removal of the historic enclosed staircase was not permitted as part of the previous approvals; the Statement appears to contradict itself in regards to this argument in suggesting that this was the case but then stating that at ground floor the staircase will be reinstated *'in line with the approved application.'* For clarity, no works of removal, with or without reinstatement, of the staircase were approved.
- The Heritage Statement contradicts itself in stating at 5.17 that the first-floor staircase is to be fully reinstated using retained original fabric, and then at 5.18 that both elements of the stair (i.e. ground to first floors, and first to attic floors) are to be *'modified so that the structure is more permeable'*. The proposal as shown on the revised plans and DAS is described above. The Statement is therefore inconsistent on this point, and its conclusions can therefore be given little weight.
- The Council has previously asked for evidence that the historic fabric of the staircase has been partially retained, as is suggested. None has been forthcoming.
- The proposed works to reinstate a staircase of a different design do not compensate for the loss of the 17th century enclosed winder staircase and its associated fabric, as discussed above. This is noted in the Historic England objection which has been received.

Removal of historic floorboards from the attic:

- There is no evidence to suggest that the 17th century floorboards at attic level which have been removed and cut up were not in their original position. The suggestion that they were 'stored' is unsubstantiated and misleading.

Covering of historic floorboards at first floor level:

- The Council has previously asked for evidence that the 17th century floorboards previously present at this level remain in situ, but this has not been forthcoming. Notwithstanding this, the covering of the characterful and historic floorboards to the rooms in question is considered harmful to the special interest of the listed building.

Removal of historic partition within the northern reception room at ground floor:

- At 5.33-5.35 the works within the main northern reception room at ground floor are discussed. The replacement oak post in place of the steel prop previously in place was discussed during the previous applications in some detail. The benefits to the special interest of the building from this repair were

acknowledged, and consent granted. However, at no time, despite the involvement of a structural engineer, was it suggested that this work would necessitate the removal of the adjacent timber framed partition. Furthermore, although the Heritage Statement submitted with the current application questions the date of the fabric to this partition, it is clearly set out in the original DAS accompanying these applications that while some elements had been replaced, this partition did contain historic timbers. The proposals in respect of this partition are discussed above.

Removal of internalised windows from the western elevation of the building:

- With respect to the removal of the internalised windows to the west wall of the building, within the replacement extensions, the position of Historic England that this removes interpretive value, presumably due to the loss of legibility of the wall in question as external, is noted, and conflicts with that stated by the applicant within the submitted Heritage Statement.

Water well within the kitchen extension:

- The exposure of this well is arguably a heritage benefit, however it has been completely relined. No consultation with the Council took place before this work and we are therefore unable to judge as to the impact on historic fabric which may have resulted from it, or to make an assessment as to whether the extent of the work which has taken place was fully justified. The weight attached to this element of the proposal as a benefit can therefore be described as limited at best. It should also be noted that the exposure of the well, ideally with prior consultation with the Council, could have taken place were the approved scheme to have been implemented. Any benefit which accrues from it is not reliant on the unauthorised works which it is now proposed to legitimise.

- Works to fireplaces/chimney breasts at ground and first floor:

We have received comments from Historic England on this aspect of the proposal as follows: *'The hearth opening of the 17th-century principal chimney in the living room has been narrowed and a contemporary raised fireplace inserted, with new facing brickwork. A similar modern raised fireplace has been inserted in the hearth of the study's fireplace.'*

These interventions have changed the historic character of the spaces. The modern design of the fireplaces makes them appear as completely new introductions, as no indication remains of the historic nature of their chimney breasts and hearths.' I would concur with these remarks.

- Removal of the ceiling and floor structure above the south east bedroom and introduction of a vaulted ceiling.

This is linked with the loss of the historic flooring at attic level noted above. This work has resulted not only in the loss of the ceiling finish to the bedroom in question but of the overlying attic floor structure. There is no evidence before us, particularly given the previously overlying 17th century floor boards (noted and pictured in the applicant's own original heritage statement submitted with the original applications) that this was not a historic floor structure, which is now lost. Coupled with the impact on the overlying floorboards, and on the proportions of the room in question, there is significant harm to the special interest of the listed building.

In summary, although in some relatively minor respects the revised proposals do represent an improvement over the current scheme as submitted, the proposals continue to result in significant harm to the special interest of the listed building for the reasons set out above and in my previous comments. The limited heritage benefits arising from certain aspects of the scheme are acknowledged, although it should be noted that there is not one such benefit which did not either form part of the approved scheme, or could not have been achieved alongside it without the significant harm which has occurred through the loss of historic plan form and fabric and the changes made to the bulk and form of the rear extensions. The proposal is therefore considered to result in unacceptable harm to the special architectural and historic interest of the listed building and to the character and appearance of the Conservation Area.

In my opinion, the proposal remains contrary to District Plan Policies DP34 and DP35 for the reasons set out. In terms of the NPPF, I would place the harm caused as less than substantial and remaining, despite the revisions made, within the higher range of that scale.

The objection raised by Historic England to the proposal must also be a significant consideration. Their advice is, they note, concentrated on aspects of the proposals which have the greatest impact on significance. In this context, they raise objection to several elements, including the enlarged rear first floor extension as implemented, the form of the reconstructed bakehouse, the loss and proposed form of reinstatement of the 17th century staircase, the loss of the partition within the ground floor northern bay, the impact on plan form of the ground floor WC in the southern bay of the house, the loss of the early 19th century chimney stack, the installation of modern fireplaces at ground floor, the infilling of the window openings to the original rear elevation, the works within the first floor northern bathroom in terms of impact on plan form, and the vaulted ceiling within the south east bedroom.

In conclusion, they state that:

'Most works undertaken in variation of, or without, consent have harmed to a greater and lesser degree the significance of the listed building. The proposed rectification works should seek to restore or recreate lost significance, which we do not think has been achieved. The harm caused by the proposals falls within the 'less than substantial' range under the NPPF, though at a high level of that spectrum, particularly for the proposed 'reconstruction' of the unauthorised removal of the 17th-century staircase, which would not be an accurate reinstatement but a modern and confusing reinterpretation.

The enlarged and redesigned first-floor rear extension has also harmed understanding of the evolution and phases of the building and the character and appearance of the conservation area, appreciable from the rear. We consider the harm caused to be at a mid-level within the 'less than substantial' range.

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conservation area, appreciable from the rear. We consider the harm caused to be at a mid-level within the 'less than substantial' range.

Overall, the unauthorised works have removed or obscured understanding of important historic features that help illustrate the evolution and multi-phased character of the building from its original 15th century origins up until the 19th century. In our view the proposed rectification works do not adequately reduce the harm caused by the unauthorised works. Consequently, this application fails to avoid or minimise the conflict between the proposal and the heritage asset's conservation, as paragraph 208 of the NPPF requires.'

On a technical point I would also like again to raise the issue that some of the photographs within photo sheets submitted by the applicant as 'prior to works', including those which were provided around the time of our site visit with Historic England, are in fact post-commencement and show the building after it had been at least partly stripped out. These are misleading as to the condition of the building before work started, which was much better than the applicant would suggest, and we must therefore be careful regarding documents that are attached to the application to ensure that no such photographs are included, or presented to Committee. I have raised this point directly with Mr Rainier in a previous email, but as far as I am aware it has not been addressed.

I have also noted photographs at pages 92 and 160 of the revised DAS, again of the building after strip out, but presented as prior to works. Ideally, this should be revised and photographs relabelled as they give a very misleading impression of the prior state of the house.

Thanks,

Emily

Please note that this advice is given at Officer level only and is without prejudice to the formal decision of the District Council.

Submit your planning application online.
<http://www.planningportal.gov.uk>

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