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**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

REFUSAL

REFERENCE: DM/25/2370

DESCRIPTION: ALTERATION OF EXISTING MODERN EXTENSION INCLUDING CHANGES TO FENESTRATION AND REPLACEMENT OF CHIMNEY STACK WITH BAY WINDOW.

LOCATION: BURSTOW COTTAGE, HAMMINGDEN LANE, ARDINGLY, HAYWARDS HEATH

DECISION DATE: 12 NOV 2025

CASE OFFICER: EMILY WADE - EMILY.WADE@MIDSUSSEX.GOV.UK

The Council hereby **REFUSE LISTED BUILDING CONSENT** for the above works as shown on the submitted application and plans, for the following reasons:-

1. The proposed works to demolish the existing chimney stack to the rear extension and construct a bay window would, due to the loss of the chimney stack and to the unsympathetic form and design of the bay window, detract from the special interest of the listed building. 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 policy DP34 of the Mid Sussex District Plan and the requirements of the NPPF.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	2505BU_R0_000		17.09.2025
Block Plan	2505BU_R0_000		17.09.2025
Existing and Proposed Floor Plan	2505BU_R0_100		17.09.2025
Existing and Proposed Elevations	2505BU_R0_101	West	17.09.2025
Existing and Proposed Elevations	2505BU_R0_102	South	17.09.2025
Existing and Proposed Elevations	505BU_R0_103	North	17.09.2025
Design and Access Statement	With heritage statement		18.09.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

RELBCZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

- * If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*