

Heritage Statement

Aldi, Sussex House, Perrymount Road, Haywards Heath RH16 1DN

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On behalf of:	Aldi Stores Ltd.	Ref:	0698

1.0 INTRODUCTION

- 1.1 This Heritage Statement has been prepared by Ignus Froneman, Director at Cogent Heritage, in consultation with the Design Team, including Avison Young and The Harris Partnership. It supports a planning application submission for a redevelopment of the application site to provide a new Aldi store, with associated parking and landscaping. The application site takes in Sussex House, a poor quality late C20 two storey building with a part-glazed pyramidal roof, which is set back from Perrymount Road and located in the eastern part of the site; Commercial House, a flat roofed modern two storey block with a frontage to Perrymount Road and 54-56 Perrymount Road, a two storey commercial unit on Perrymount Road with single storey rear elements.
- 1.2 The author of this report is a qualified heritage consultant with over 20 years of experience in the historic environment. This includes regular appearances as an expert witness at public inquiries, on behalf of both appellants, public bodies and local planning authorities.

Purpose of the report and site inspection

- 1.3 The Heritage Statement assesses the effects of the proposed development on the heritage significance of the relevant heritage assets (see below). The report was informed by a site visit, in February 2023, and desk-based documentary research. Photos were taken on the site visit, including drone photography. The photos that have been included to illustrate this report were taken on the site visit; they have not been altered, aside from cropping or annotation in some instances.
- 1.4 The purpose of the documentary research was to establish readily available sources of information about the history and evolution of the application and its context. This is intended to be informative, but it is not intended to be comprehensive/exhaustive and it is therefore possible that other sources of historic information relating to the application site and its context exist.

Heritage assets

- 1.5 The application site lies immediately adjacent to the Heath Conservation Area, as can be seen from the map extract at **Fig 1** below; the map is from the Heath Conservation Area Appraisal, published by Mid Sussex District Council in September 2007.

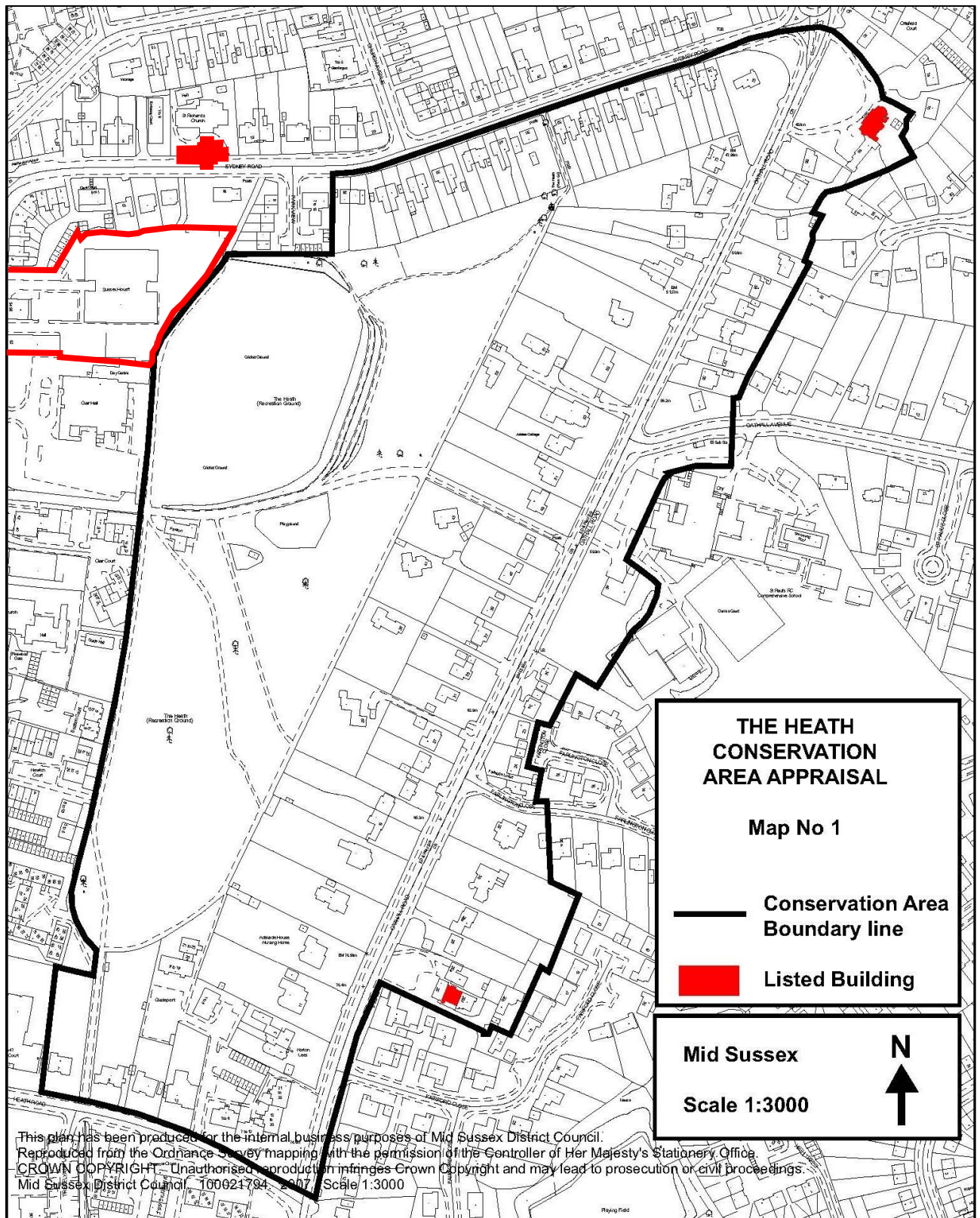


Fig 1: An extract of the boundary of the Heath Conservation Area, from the Heath Conservation Area Appraisal, published by Mid Sussex District Council in September 2007. The approximate boundary of the application site is shown in red outline and listed buildings are shown in solid red.

- 1.6 To the north of the application site, on the north side of Sydney Road, is the grade II listed Church of St Richard (see **Fig 1**). It is an early C20 church, the setting of which is briefly considered in the assessment, to a proportionate level of detail.
- 1.7 There are two, more distant, listed buildings to the NE and SE within the conservation area (see **Fig 1**); these are physically and experientially separated from the application site. In accordance with 'Step 1' of the assessment process, as advocated in Historic England's setting guidance *Historic Environment Good Practice Advice in Planning Note 3* (Second Edition) (GPA 3), these listed buildings have not been assessed in detail, following the site visit and a review of the proposed development. That is because of the nature of the proposed development, coupled with the nature of the listed buildings' significance and setting, which in combination mean that the significance of the listed buildings would evidently remain unaffected by the proposed development.

Pre-application advice

- 1.8 Pre-application advice was sought in relation to the proposed development. The feedback expressed no issues with the principle of a replacement building of the scale being applied for, and in heritage terms this was noted to be non-contentious, based on retaining/enhancing the screening on the eastern boundary of the application site.

Legislation and policy summary

- 1.9 The section below summarises the key provisions of s.66 & s.72 of the Planning Listed Buildings and Conservation Areas Act 1990, the National Planning Policy Framework and the Development Plan policies.
- 1.10 **Legislation:** Legislation relating to listed buildings and conservation areas is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Section 66(1) of the Act sets out the statutory duty in relation to development affecting the setting of listed buildings: and section 72(1) sets out the statutory duty in relation to any buildings or other land in a conservation area.
- 1.11 It is a well-established concept in case law that 'preserving' means doing no harm for the purposes of the 1990 Act. The Court of Appeal's decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] (EWCA Civ 137) established that, having 'special regard' to the desirability of preserving the setting of a listed building under s.66, involves more than merely giving weight to those matters in the planning balance. There is a strong statutory presumption against granting planning permission

for any development which would fail to preserve a listed building or its setting (and the same for conservation areas). In cases where a proposed development would harm a listed building or its setting (or a conservation area), the Barnwell decision has established that the duty in s.66 of the Act requires these must be given “*considerable importance and weight*”.

1.12 The key legal principles, established in case law, are:

- i. ‘Preserving’ for the purposes of the s.66 and s.72 duties means ‘to do no harm’¹.
- ii. The desirability of preserving the setting of a listed building, or the character or appearance of a conservation area must be given ‘considerable importance and weight’².
- iii. The effect of NPPF paragraphs 199-202 is to impose, by policy, a duty regarding the setting of a conservation area that is materially identical to the statutory duty pursuant to s.66(1) regarding the setting of a listed building (and s.72 in relation to the character and appearance of a conservation area)³.
- iv. NPPF paragraph 202 appears as part of a ‘fasciculus’ of paragraphs, which lay down an approach corresponding with the s.66(1) duty (and similarly the s.72 duty)⁴.
- v. If harm would be caused, then the case must be made for permitting the development in question, and the sequential test in paragraphs 200-202 of the NPPF sets out how that is to be done. If that is done with clarity, then approval following paragraph 202 is justified. No further step or process of justification is necessary⁵.
- vi. In cases where there may be both harm and benefits, in heritage terms, great weight has to be given to the conservation and enhancement of a listed building, and its setting, and the preservation and enhancement of a conservation area. It is, however, possible to find that the benefits to the same heritage assets may be far more significant than the harm⁶.

¹ *South Lakeland District Council v Secretary of State for the Environment* [1992] 2 AC 141 per Lord Bridge at p.146E-G in particular (obiter but highly persuasive).

² *Bath Society v Secretary of State* [1991] 1 WLR 1303, at 1319 per Glidewell LJ and *South Northamptonshire DC v SSCLG* [2014] EWCA Civ 137 (Barnwell Manor), at [22-29] per Sullivan LJ.

³ *Jones v Mordue* [2015] EWCA Civ. 1243 per Sales LJ [at 28].

⁴ *Jones v Mordue* [at 28] per Sales LJ.

⁵ *R (Pugh) v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin) as per Gilbart J [at 53].

⁶ *R (Safe Rottingdean Ltd v Brighton and Hove CC* [2019] EWHC 2632 (Admin) as per Sir Ouseley [at 99].

- vii. An impact is not to be equated with harm; there can be an impact which is neutral (or indeed positive)⁷.

- 1.13 **The National Planning Policy Framework:** Section 16 of the revised (December 2023) National Planning Policy Framework (the NPPF) deals with conserving and enhancing the historic environment, in paragraphs 195 to 214. The July 2024 consultation draft of the NPPF does not include changes to Section 16 of the NPPF.
- 1.14 Paragraph 195 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.
- 1.15 According to paragraph 200, applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 1.16 According to paragraph 205, which applies specifically to designated heritage assets, great weight should be given to a heritage asset's conservation (the more important the asset, the greater the weight should be). This reflects the provisions of the 1990 Act in that it applies irrespective of whether it involves total loss, substantial harm, or less than substantial harm to significance.
- 1.17 Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. It then deals with substantial harm to, or total loss of significance of, different types of designated heritage assets. Paragraph 207 continues on the subject of substantial harm.
- 1.18 Paragraph 208, on the other hand, deals with less than substantial harm. Harm in this category should be weighed against the public benefits of the proposal. The National Planning Practice Guidance (NPPG) describes public benefits as "*anything that delivers economic, social or environmental progress*".
- 1.19 The **Development Plan** is the Mid Sussex District Plan 2014-2031 (adopted 28 March 2018). Policies DP34: *Listed Buildings and Other Heritage Assets* and DP35: *Conservation Areas* are relevant to this proposal.
- 1.20 Policy DP34: *Listed Buildings and Other Heritage Assets* requires development to protect listed buildings and their settings.

⁷ *Pagham Parish Council v Arun District Council* [2019] EWHC 1721 (Admin) (04 July 2019), as per Andrews, J DBE at 38.

- 1.21 Policy DP35: *Conservation Areas* states that “*Development will also protect the setting of the conservation area and in particular views into and out of the area.*”
- 1.22 Emerging policies are set out in the Regulation 19 District Plan 2021-2039. Policy DPB2: Listed Buildings and Other Heritage Assets requires development proposals to preserve or enhance listed buildings and the contribution made by their settings. Policy DPB3 requires development proposals to protect the setting of a conservation area, in particular views into and out of the area.
- 1.23 Policy E9 of the Haywards Heath Town Council Neighbourhood Plan 2014 – 2031 requires proposals affecting listed buildings and conservation areas to preserve or enhance their special interest and/or distinctive character.

2.0 ASSESSMENT

THE HEATH CONSERVATION AREA

The significance of the Heath Conservation Area

- 2.1 The Council has an adopted appraisal for the conservation area: the *Heath Conservation Area Appraisal* (the ‘Appraisal’). This next section considers the Appraisal’s description and assessment of the significance of the conservation area, with observations added in places, along with historic maps and images.
- 2.2 Starting with the historic background, at section 5.0 of the Appraisal, paragraph 5.1 sets out the early history of the town, which is not repeated here. Paragraph 5.2 notes that the opening of the London to Brighton railway in 1841 essentially established the town. The railway was intended to serve Cuckfield and Lindfield, but development sprung up around the new station. However, the early development around the station was modest; around two decades after the opening of the station, in 1862, the town was officially recognised. Paragraph 5.3 notes that, towards the end of the C19, further commercial and residential properties were built, ranging from large, detached houses to rows of terraced houses. The railway line and the access it provided for commuters underpinned the residential development.
- 2.3 The 1874 Ordnance Survey map (**Fig 2**) records the application site as part of the grounds of a high status dwelling, St Clair House; the grounds of the house at that time stretched from Sydney Road down to the present-day Clair Hall site to the south. Perrymount Road was still largely undeveloped, but there was a pocket of development close to the station. Some sporadic development can be seen along Sydney Road. The

cricket pitch was not yet cleared on the heathland that extended to the east of the application site. A house stood on the site of the Church of St Richard.



Fig 2: An extract of the 1874 Ordnance Survey map, with the rough location of the application site highlighted with a red circle.

2.4 The 1897 Ordnance Survey map (**Fig 3**) illustrates further development, seen along both Perrymount Road and Sydney Road. The grounds of St Clair House seems to have been subdivided by this time, with no paths shown on the southern parcel (now the site of Clair Hall), which may have become used for cultivation, given the peripheral coniferous planting and greenhouses. A lodge to St Clair House had been built on Perrymount Road. The Appraisal notes that the cricket pavilion was added in the beginning of the C20, and

although the 1897 Ordnance Survey map shows a clearing with terraces along the east, likely to create a level pitch, the pavilion was still absent at that time. The 1910 Ordnance Survey map records the cricket pavilion, but does not show any notable changes and it has not been reproduced here.

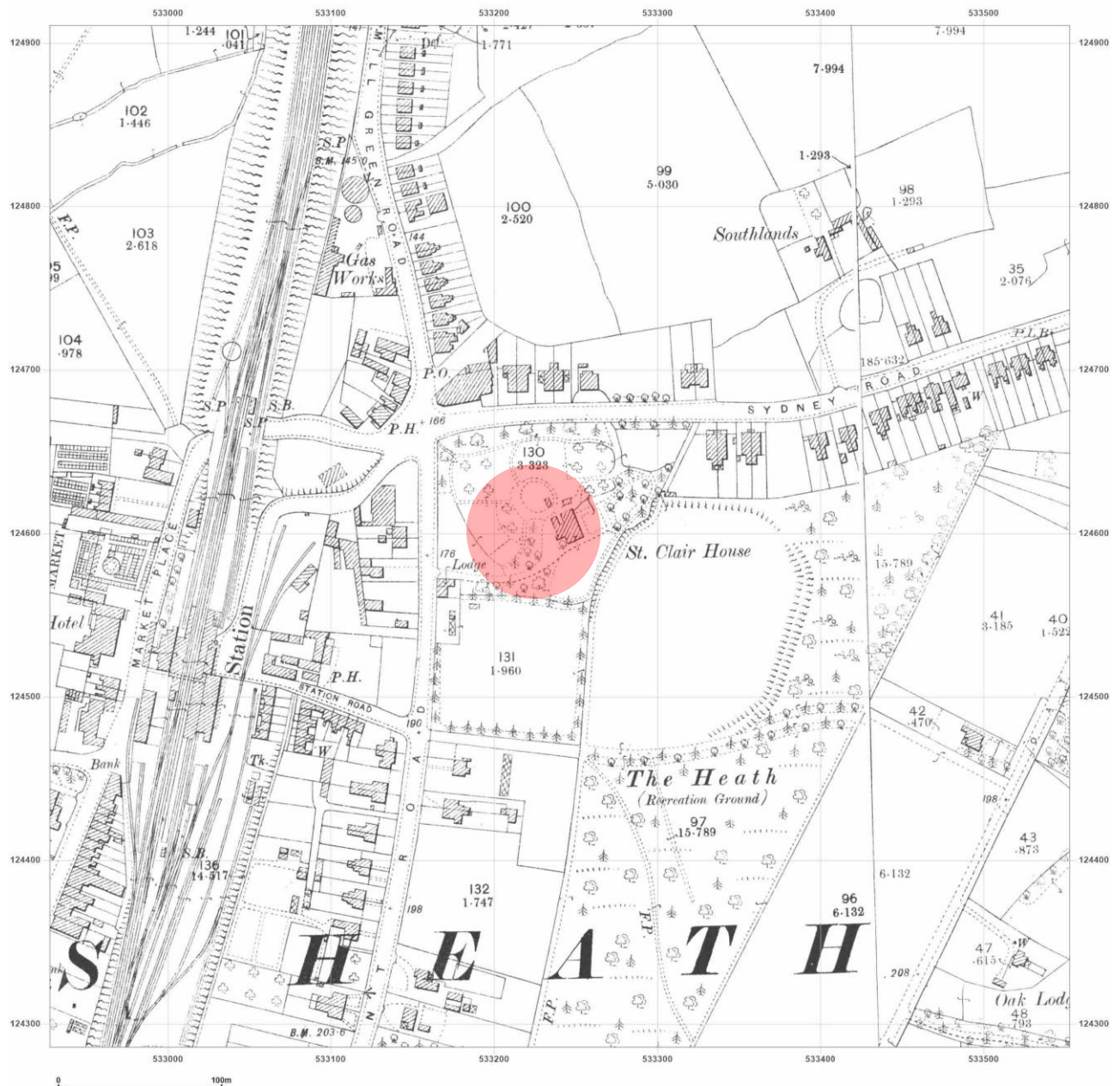


Fig 3: An extract of the 1897 Ordnance Survey map, with the rough location of the application site highlighted with a red circle.

- 2.5 An oblique aerial photo of 1932 (**Fig 4**) partially records the application site, still very much the grounds of St Clair House. The roof of the lodge on Perrymount Road can just be discerned. The absence of development on Perrymount Road is notable, and the site of Clair Hall to the south of the application site seems to have remained an open field. The houses that stood on the site of the Church of St Richard can also be seen.



Fig 4: An extract of and oblique aerial photo of 1932 from the NE, with the location of St Clair House highlighted with a red arrow. © HES EPW039526

- 2.6 The 1955 Ordnance Survey map (**Fig 5**) records St Clair House, now within much-diminished grounds, and with the Perrymount Cinema on Perrymount Road to the west. The site of Clair Hall was still an open field, now partially demarcated as a playground.
- 2.7 The Francis Frith Collection holds a series of broadly contemporary c. 1950 photos, a selection of which is included at **Figs 6-9** below. These show a now almost unrecognisable townscape on Perrymount Road, with the Perrymount Cinema at the western end of the application site. Spectators on the terraces of the Heath are shown (**Fig 8**), presumably watching cricket. Another photo (**Fig 9**) shows the view of the Clair Hall site at that time, quite open. Development on Perrymount Road is visible in the background.



Fig 5: An extract of the 1955 Ordnance Survey map, with the rough location of the application site highlighted with a red circle.



Fig 6: A c.1950s photo, looking south along Perrymount Road. © Francis Frith Collection



Fig 7: A c.1950s photo, looking north along Perrymount Road. © Francis Frith Collection



Fig 8: A c.1950s photo, looking north along the terraces on the Heath. © Francis Frith Collection



Fig 9: A c.1950s photo, looking west from the terraces on the Heath, with the pavilion on the left and the site of Clair Hall on the right, beyond the Heath. © Francis Frith Collection

- 2.8 An oblique aerial photo of 1961 (**Fig 10**) records the application site, still taken up by the cinema and the grounds of St Clair House. The site of Clair Hall at that time remained undeveloped and open.



Fig 10: An extract of an oblique aerial photo of 1961, with the location of St Clair House highlighted with a red arrow. © Historic England EAW094356

- 2.9 The 1967 Ordnance Survey map does not show any notable changes from the 1955 version and it has not been reproduced here. The 1974/5 Ordnance Survey map (**Fig 11**) shows St Clair House absent from the application site, and the addition of Clair Hall to the south. The next map in the sourced sequence is the 1990 version (not reproduced), which shows Sussex House on the application site, with Perrymount Cinema replaced with the present street fronting building to the west of the application site.

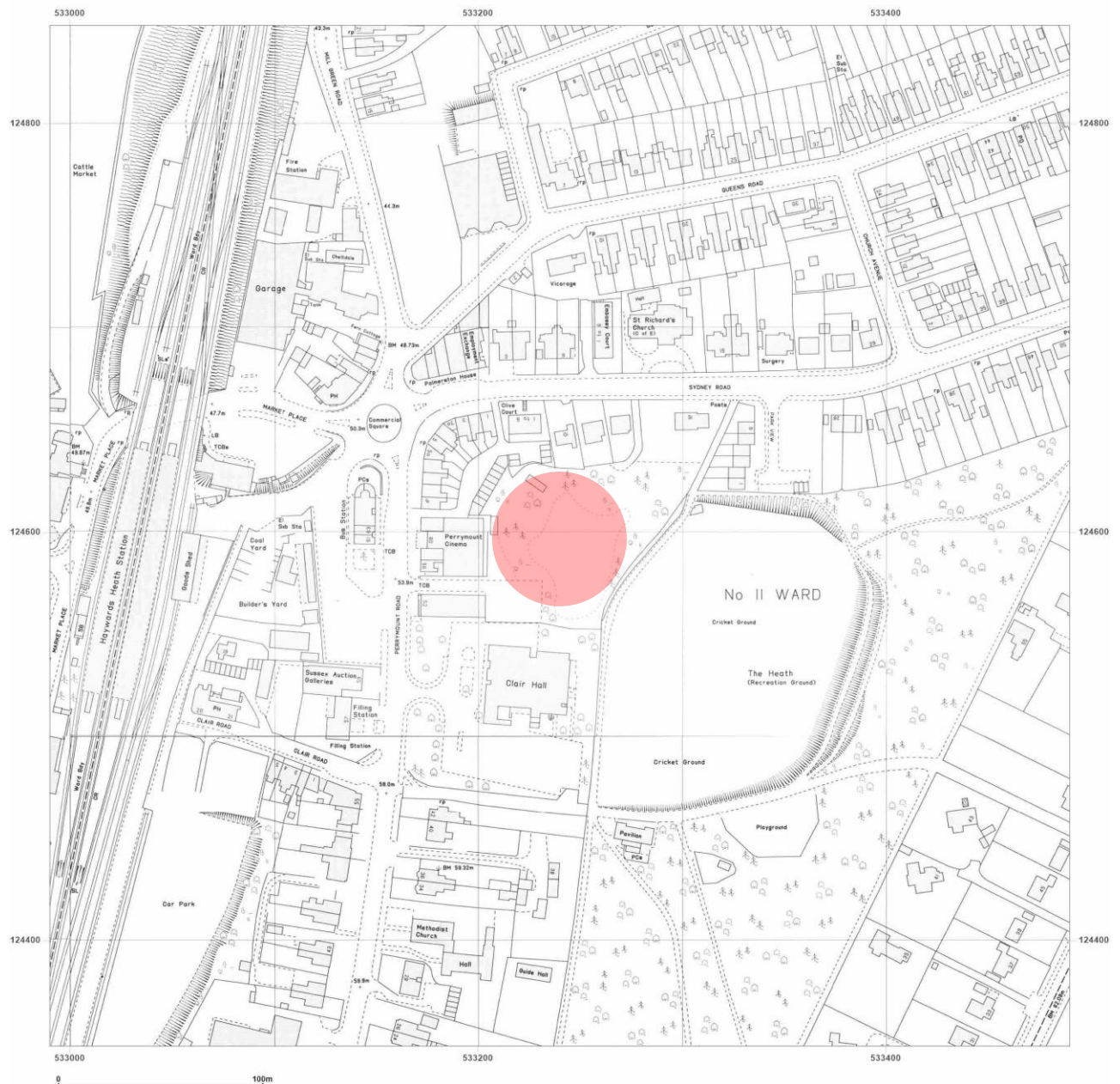


Fig 11: An extract of the 1974/5 Ordnance Survey map, with the rough location of the application site highlighted with a red circle.

2.10 Returning then to the Appraisal, the Executive Summary on page 5 summarises the conservation area as follows:

"The Heath Conservation Area in Haywards Heath, which includes parts of Heath Road, Sydney Road and Oathall Road, is centred on The Heath Recreation Ground. The Heath itself is the last remaining part of the original 'Hayward's Heath' and still retains its unique character as an area of woodland in the heart of the town. A number of features contribute to the special character of the conservation area, namely the large Victorian and Edwardian villas set in extensive gardens in Oathall Road and Heath Road, the trees and hedges around and in between buildings which contribute positively to the overall

character and appearance of the area, the heath itself which is an area of mature woodland in the heart of the town, the cricket ground which is set in an impressive amphitheatre, and the Victorian dwellings on the south side of Sydney Road together with their secluded gardens which help to protect the setting of the recreation ground."

- 2.11 Section 4.0 of the Appraisal discusses the 'General Character and Plan Form' with paragraph 4.1 noting that the conservation area lies east of the town centre, and is dominated by the pre-urban heath. Large late-Victorian/Edwardian villas along Heath Road and Oathall Road and smaller Victorian semi-detached properties along Sydney Road, adjoin the Heath with their gardens backing onto the Heath. It can be noted here that the town centre, which is outside the conservation area to the west, also adjoins the Heath and the buildings on Perrymount Road (some of which did not exist at the time of the Appraisal) are clearly visible from it.
- 2.12 The same paragraph highlights that the conservation area also contains houses built in 1920s and 30s by Harold Turner, a local architect who became well known particularly after his successful Gidea Park project in Essex. He is best remembered for his distinctive style of properties built in the Sussex vernacular, using high quality materials and with great attention to detail.
- 2.13 Late C20 housing were added to the area after WWII, prior to the designation of the conservation area, on the site of demolished Victorian dwellings, or in their extensive gardens. None of the houses of this latter period are architecturally significant and some are noted to not enhance the conservation area. Whilst not inside the conservation area, the application site, and Clair Hall, are examples of such post-war development on the site of a former Victorian house, of which all traces have now been removed and the land now forms part of the modern town centre around the station and along Perrymount Road, with modern developments on it that have left no trace of the original house and its grounds.
- 2.14 Paragraph 5.5 of the Appraisal notes that the wooded part of the Heath Recreation Ground, at the centre of the conservation area (also known as Clair Park), is part of the original heathland. The land to the north, which became home to Haywards Heath Cricket Club, is said to have been created from part of the extensive grounds of a private house called St Clair House, now demolished (though that is not what the first edition 1874 Ordnance Survey map at **Fig 2** shows, and this claim is perhaps questionable). The terraces surrounding the cricket ground were completed in 1897 as part of the town's celebrations commemorating Queen Victoria's Diamond Jubilee, and must therefore have been just finished by the time of the 1897 Ordnance Survey map (**Fig 3** above).

- 2.15 According to paragraph 10.3, the character of the Heath is also established by the presence of that “*most English of attributes*” a town cricket pitch with a splendid playing surface and a remarkable amphitheatre for spectators. There has been a cricket pavilion on the Heath since the first decade of the C20.
- 2.16 The Appraisal divides the conservation area into four sub-areas, as per **Fig 12** below.

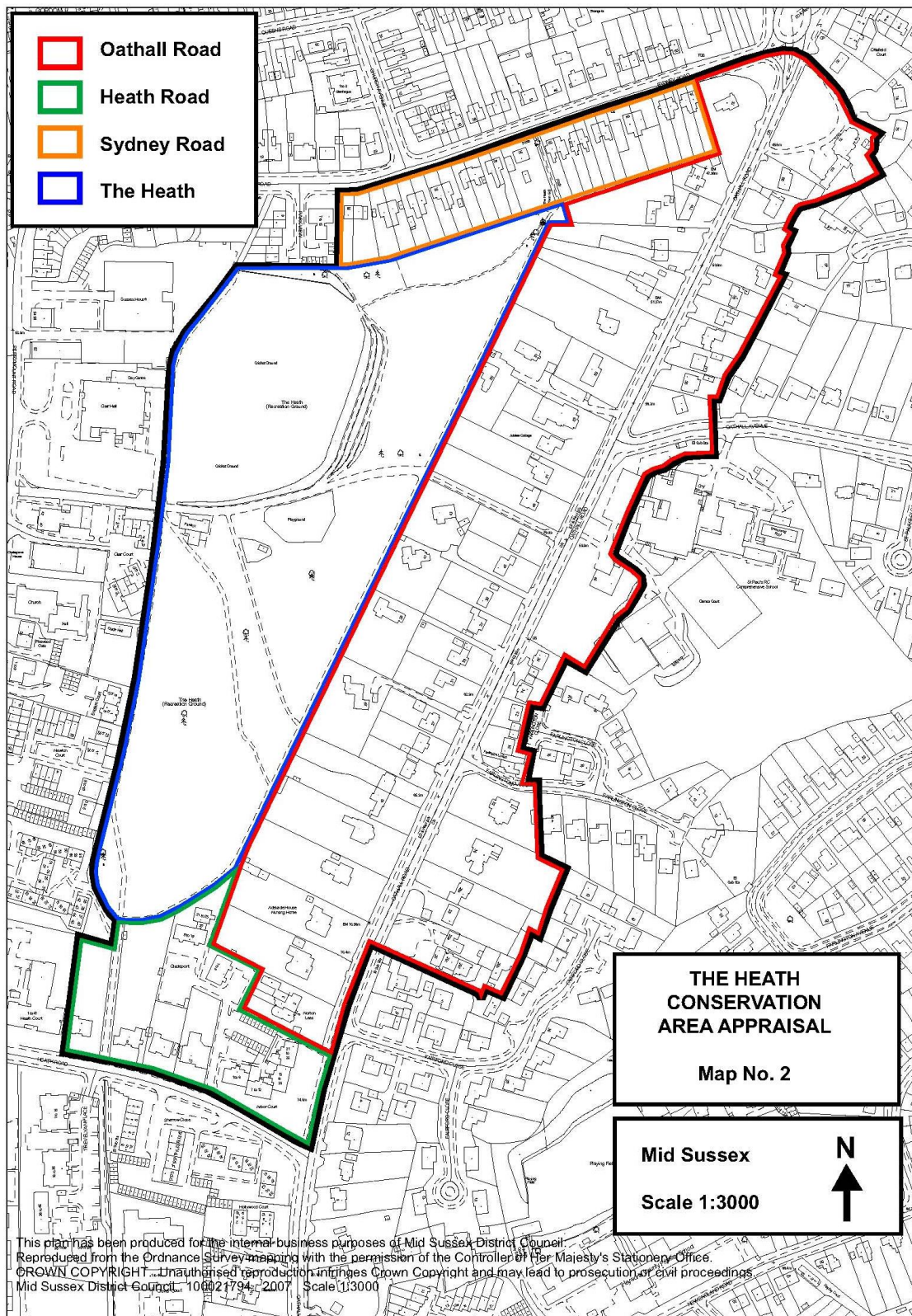


Fig 12: An extract of the character areas map, from the Heath Conservation Area Appraisal.

- 2.17 On page 14 of the Appraisal is a discussion of Character Area 3: Sydney Road. The Appraisal notes that Sydney Road is a busy secondary road (the B2028) that links the town to Lindfield and East Grinstead, along the northern boundary of the conservation area. The road slopes gently down as it runs east from Commercial Square to the junction with Oathall Road. The conservation area includes all the Victorian or Edwardian semi-detached houses on the south side of Sydney Road. As can be seen from the map, the part of the conservation area on Sydney Road does not extend close to the application site, instead stopping well short of it, roughly in line with the eastern extent of the cricket pitch.
- 2.18 On page 15 of the Appraisal is the discussion of Character Area 4: The Heath and the Recreation Ground. It is described as heavily wooded, with some steep paths and narrow tree-lined tracks. The summit of the Heath is at the southern extremity. The Appraisal describes this as a *"quiet sanctuary in the urban environment"* and notes that it enjoys distant views of the High Weald. The same paragraph highlights *"glimpses of large houses that conjure up memories of Victorian society"*. Narrow ginnels (twittens) connect the Heath to Sydney Road. At the heart of the area is the cricket ground that sits within a grassy amphitheatre.
- 2.19 Section 14.4 of the Appraisal again discusses Character Area 4, with paragraph 14.4.1 again stating that the cricket pitch is at the "[metaphorical] *heart of the conservation area*" (although it can be noted, as a matter of fact, it lies along the NW edge of the conservation area, bordering the modern town centre and associated hinterland beyond the conservation area). The Appraisal notes that the Haywards Heath Cricket Club was founded in 1897; the grass amphitheatre on the eastern side permits spectators to gain an elevated view of the game. It is said to be *"arguably one of the best amateur cricket grounds in the county"*. The Appraisal notes that a cricket pavilion has stood on the present site since 12 September 1900.
- 2.20 According to paragraph 14.4.2 the character of the conservation area is heavily influenced by the extensive wooded area described in detail in paragraph 10.1, an excerpt of which is quoted below:
- "Central to the character of The Heath Conservation Area is the open space and the abundance of trees of the Recreation Ground or Clair Park as it is also known, right in the heart of the conservation area. This area is the last remaining vestige of the original heath of Haywards Heath."*
- 2.21 Paragraph 14.4.3 of the Appraisal notes the children's playground, located in the centre of the conservation area, which is described as unobtrusive, except for the metal fence.

Assessment of the application site's contribution

- 2.22 Starting with the Appraisal, paragraph 14.4.5 notes how the rear of buildings on the east side of Perrymount Road are visible, and these are described as “*generally unattractive*”. The remainder of the paragraph states:

“The roof of Clair Hall is decaying and drab. It is an unremarkable view and the Heath deserves better architecture. The red gutters and window frames of Sussex House [on the application site] are intrusive.”

- 2.23 As a starting point, it can be noted that Sussex House on the application site is described as intrusive due to its poor quality, along with Clair Hall (the redevelopment of which has long been anticipated, as far back as 2007). The other buildings on the application site are not readily visible from the conservation area and are not mentioned in the Appraisal; these are not relevant to the contribution of the application site to the conservation area, although it can simply be noted here that there is nothing positive about these buildings, in any event. When looking at **Photos 1 & 2** below, it is not difficult to see why the poor quality buildings of Clair Hall and Sussex House on the application site have been identified as detractors.



Photo 1: Sussex House on the application site (red bracket), seen together with Clair Hall (left) across the cricket pitch from the SE.



Photo 2: The application site, seen across the cricket pitch from the SE.

2.24 The relationship of the application site with the conservation area is visually well-explained on the photos below (**Photos 3-5**), some of which are annotated to show the conservation area/application site boundaries. When looking at these photos, it is possible to make the following observations:

- i. The application site (like Clair Hall, and the development along Perrymount Road) has nothing in common with the conservation area.
- ii. The contrast between the application site and the adjoining part of the conservation area means that there is a clear sense of differentiation between the two, which are notably unrelated.
- iii. This differentiation means that there is a clear sense of 'belonging', with the application site plainly 'belonging' to the town centre/Perrymount Road, rather than to the Heath, or Sydney Road.
- iv. When looking at Perrymount Road, it is obvious that there has been some transformational regeneration, but that the townscape is still emerging, or in state of flux; that is borne out in the long-anticipated redevelopment of Clair Hall, and in the application site now coming forward for redevelopment.



Photo 3: A contextual aerial view from the east over the cricket pitch, with the application site seen beyond. The approximate extent of the conservation area is shown in red.



Photo 4: A contextual aerial view from the NW over the application site, with the cricket pitch seen beyond. The approximate extent of the application site is shown in a dotted red line.



Photo 5: A contextual aerial view north over Perrymount Road, showing the application site in the broader townscape context.

2.25 The observations made in relation to the aerial views above are not abstract; they provide a contextual overview of an experience⁸ when standing on the ground and moving through the area. **Photos 6-8** below show how the development on Perrymount Road is plainly visible from, and very much a tangible part of the experience of the surroundings of the conservation area when looking westwards across the Heath.

⁸ Annex 2 of the NPPF defines setting as the surroundings in which a heritage asset is *experienced*.



Photo 6: The application site in context, seen across the cricket pitch from the NE corner.



Photo 7: The application site in context, seen across the terraces to the east of the cricket pitch.



Photo 8: The application site in context, seen from the SE across the cricket pitch.

- 2.26 In light of the above, it is worth noting Section 18.0 of the Appraisal, which is entitled *"Ideas for enhancement"*. Paragraph 18.1 lists encouraging *"a high standard of design for the building that will replace Clair Hall in the Haywards Heath Masterplan. The west elevation is particularly important. Encourage an active edge with the park with overlooking to reduce crime and vandalism."* This illustrates a desire for the redevelopment of the Clair Hall site to form a built frontage that interacts with, and overlooks, the Heath. That would plainly result in a different perception of built form when compared with the existing situation. It is obvious that the replacement of Clair Hall was already anticipated 17 years ago, when the Appraisal was published, in September 2007.
- 2.27 In this context, the fact that the application site is now coming forward for development is unsurprising (the only surprising aspect, perhaps, is that the Clair Hall site has not yet come forward for development). This can be seen as a natural progression of the townscape evolution, around the station. In this context it is worth pausing to note that the Clair Hall site will inevitably come forward for development, and this land adjoining the application site would then be transformed; it can be assumed that any such development would optimise the brownfield land in line with policy.

- 2.28 In conclusion, the application site is visible from the conservation area and it is a detractor. It logically belongs to the town centre/Perrymount Road, rather than the Heath. Modern development, seen from here, already forms part of the baseline in which the setting of the conservation area is experienced and its context understood. The expressed aspiration for the Clair Hall site is to create an active and overlooking edge of built form to the Heath. Taken together, that indicates here is a clear opportunity for a redevelopment proposal on the application site, and a lower built form on the application site, perhaps with reinforced boundary vegetation, would improve the setting of the conservation area.

THE CHURCH OF ST RICHARD

The significance of the Church of St Richard

- 2.29 According to its list description on Historic England's National Heritage List, the Church of St Richard was listed on 4 October 2000. The main descriptive text from the list description is quoted in full below:

"Church. Designed by Kier Hett in 1937, opened 1938 but chancel completed in 1942. Style is a mixture of Art Deco and Scandinavian. Structure of reinforced concrete but clad in local brick in English bond with tiled roof. Cruciform shape. 5 bay nave with aisles, 3 bay chancel, chapel in north transept and baptistery in south transept. Steeply pitched roof with hipped dormers with leaded lights, 4 to nave and 2 to chancel. Main entrance through south transept which has large gable with weatherboarded gablet on wooden brackets forming bellcote. Round-headed leaded light window and stepped parapetted porch having central shallow pediment with cross and date 1938 and round-headed entrance flanked by brick pilasters. West front has large gable with central set back round-headed window with leaded lights. Doorcase has large ribbed concrete lintel with flattened pediment above with cross and recessed doorcase with double doors flanked by sidelights. North transept has gable with 2-light window with round-headed tympanum above and 4-light window below. Flat roofed vestry in south east angle. East gable has no windows but instead a large tiled inlaid cross. INTERIOR: Porch in north transept has double doors with leaded lights and linenfold panels with good metal fittings. Concrete hexagonal-ribbed crossing and octagonal-ribbed nave and chancel. Nave has balcony at west end with cast iron and oak patterned handrail incorporating four crosses. Wooden winder staircase to it has chrome handrail. Original pews. South transept has later C20 stained glass depicting Virgin and Child, octagonal tapering stone font with cross and wave decoration and octagonal font cover with dove. North transept has 'GLORIA IN EXCELSIS DEO'. Wooden winder staircase leading to it has chrome handrail. South chapel below has original wooden pews and altar rails and square metal ceiling lights. Later C20 stained glass window of St Richard of Chichester and Virgin, Child and shepherds. Octagonal oak pulpit on tapering stone base and chair. Oak floor. Chancel has three steps

and stone floor and is dated June 6th 1942. Piscina to south east and cupboard to north east.”

- 2.30 Pevsner⁹ notes “... then Scandinavian-influenced exterior tends towards the domestically modest typical of Hett’s work, the reinforced concrete frame is undisguised inside ...” The church (**Photo 9**) is a good example of idiosyncratic interwar ecclesiastical design, in a domestic idiom that mixes a somewhat reassuringly traditional exterior with the advances of construction evident in the exposed concrete frame internally. There is also some associative interest with Hett. The originality of the building, its internal features, space and plan form all contribute to its significance.



Photo 9: The Church of St Richard from the SW.

Assessment of the application site’s contribution

- 2.31 The setting of the church on Sydney Road is mixed. There are examples of Victorian houses, interwar houses and modern apartment blocks. The primary setting in which the building is experienced and understood is this mixed townscape on Sydney Road; whilst the church has some street presence due to its width and setback from the road, combined with its slightly unusual architecture, it does not have a spire/tower and it is by no means an especially prominent building. As *Pevsner* notes, it invokes the modesty

⁹ *The Buildings of England Sussex: West*, pp424

of domestic architecture, rather than the grandiose or landmark presence typical of some churches.

- 2.32 The best views of the building are when looking at it and understanding it within the streetscape; such views take in the north side of Sydney Road. The application site is behind the viewer, and rather peripheral to the townscape experience in such views. The view of the south side of Sydney Road, from the church, can be seen at **Photo 10**. There is a recently added modern house directly opposite the church, flanked by two interwar houses. The application site lies behind these. There is nothing especially noteworthy or revealing about the houses on the south side of Sydney Road, or the land beyond, that could be said to enhance or reveal the significance of the church. The houses give context to the church as part of the domestic streetscape along Sydney Road, but beyond that there is nothing about this outward view from the church that can be said to reveal its significance. As paragraph 16 of Historic England's setting guidance in GPA 3 states *"Views out from heritage assets that neither contribute to significance nor allow appreciation of significance are a matter of amenity rather than of setting."*



Photo 10: The view south from the Church of St Richard.

3.0 IMPACT ASSESSMENT

- 3.1 The proposed development would see the redevelopment of the presently detracting buildings on the application site, of which the roof and upper parts of Sussex House are visible from the conservation area above the vegetation on the eastern boundary of the application site. The existing landscaping on the eastern boundary of the application site would be retained and reinforced/managed to ensure continued screening.
- 3.2 The proposed food store building would be a low building, of a single storey (albeit taller than a conventional single storey building), and with its roofs a shallow gradients. The proposed building would sit well below the eaves of Sussex House, with its height nearly 7m lower the ridge of Sussex House. The building would be located to the NE of the application site, where it adjoins other existing buildings on Sydney Road. The east elevation, facing the conservation area, would be clad in brick, but some with elements of metal cladding, although it is not anticipated that very much of the building would be visible at all from the conservation area.
- 3.3 Like the existing arrangement, the southern part of the application site would be used for parking. This is not presently visible from the conservation area, and the proposed development includes additional landscaping/planting. The proposed parking would not be visible, and the additional planting would enhance the existing screening.
- 3.4 The retention and strengthening of the vegetation and trees along the east boundary of the application site would effectively screen the proposed development, even in leafless conditions (such as what is shown on the photos in this report). This would retain the existing green edge to the cricket pitch, such that the character appearance and significance of this part of the conservation area would be preserved and enhanced, compared with the more visible built form of the taller existing building.
- 3.5 In relation to Church of St Richard, there might be a minor change to the distribution of built form visible behind the houses on the southern side of Sydney Road, but this would very much be a peripheral change to the outlook of the church, which would have no effect on its significance, or how it is appreciated. The experience of the church, on a domestic street of mixed townscape, close to the town centre, would remain unaffected.
- 3.6 When drawing all of the above observations together, the proposed development would be compatible with the heritage context, namely the conservation area and the setting of Church of St Richard. The proposed development would replace detracting buildings on a town centre site that is suited for development, with a food store that would be less visible from the conservation area. As such, the proposed development would enhance

the quality and character of this part of the setting of the conservation area, while preserving the significance of the Church of St Richard.

4.0 CONCLUSIONS

- 4.1 This report presents a proportionate assessment of the significance of the Heath Conservation Area and the contribution of the application site to it, as well as Church of St Richard and the application site's contribution to its significance as a component of its setting. The effects of the proposed development have also been proportionally considered.
- 4.2 The assessment in this report has demonstrated that the proposed development would enhance the setting/significance of the conservation area and preserve the setting/significance of Church of St Richard.
- 4.3 This means that references to harm in paragraphs 206-208 of the NPPF are not engaged, and the provisions of s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) are satisfied. The proposals satisfy Policies DP34 and DP35 of the Mid Sussex District Plan 2014-2031, as well as Neighbourhood Plan Policy E9 and emerging Local Plan policies Policy DPB2 and DPB3.
- 4.4 In accordance with the NPPF, the identified heritage-specific benefits of the proposal should be brought forward into the overall planning balance, and given the appropriate 'great weight'.