



Plate 74: Detail of the upper element of the stairwell in Kingsland.



Plate 75: Detail of the cornice in the ground floor hall on Kingsland.



Plate 76: Arched pilasters on the ground floor of Kingsland.



Plate 77: View north in the easternmost ground floor room of Kingsland.



Plate 78: View south in the easternmost ground floor room of Kingsland.



Plate 79: Detail of window surround (shutters removed) on the ground floor of Kingsland.

6.79. To the interior, evidence of the historic internal layout remains intelligible and some decorative architectural detailing stylistic of a 19<sup>th</sup>-century date remains. That said, it is clear that some decorative features are later additions, including some of the paneling on the ground floor. Where 19<sup>th</sup>-century fabric is retained, it has been subject to alteration (i.e., removal of shutters). Analysis of the historic layout, as it remains understood, and the architectural detailing is not considered to be unusual in the context of 19<sup>th</sup>-century interiors of properties of this type and status.

6.80. As with the exterior, the interior of Kingsland has been subject to change during the late 20<sup>th</sup> and early 21<sup>st</sup> century as a result of the change to institutional use. This has included the insertion of partition walls to create required spaces and fire partitions. Such changes have impacted upon the internal character of the building, and it does not survive as a relic of the 19<sup>th</sup> century.

6.81. The description set out above reflects that provided by Historic England within their 2025 assessment of the building:

***“KINGSLAND: the building stands hard against the east side of the main refectory. It is a two-storey, five-bay Italianate house with a shallow hipped slate roof, deep eaves and stuccoed elevations with corner quoins and moulded window architraves. Windows and doors are C21 replacements.***

***Interior: features dating to the C19 include an open string stair with wreathed handrail and turned balusters, a number of panelled door architraves, splayed panelled window reveals (with missing shutters), moulded skirting boards and decorative***

***plasterwork cornices. The plan has been notably altered, however, and much of the joinery and interior fittings modernised for its C20 and C21 uses.*** (our emphasis)

#### **Statement of Potential Heritage Significance**

6.82. In considering Kingsland for designation in 2025, Historic England provided the following conclusions:

***“Kingsland House is a C19 building retained on the site by Blee to provide additional accommodation for the nun’s pastoral activities. While some of its original features survive, it is too altered to have intrinsic architectural interest based on its age.”***

6.83. Accordingly, Kingsland was not added to the National List and is not a designated heritage asset.

6.84. In considering the potential significance of Kingsland as part of the Pre-Application process, the Mid Sussex District Council Conservation Officer set out the following:

***“Although the house is quite an impressive building, it has been altered, and is of a fairly common type. I would consider it to be of some interest in terms of the development of Sayers Common, but probably not sufficient to be regarded as a non-designated heritage asset (NDHA).”***

6.85. Whilst Kingsland holds some architectural or historic interest as an example of a 19<sup>th</sup>-century minor country house. However, the building is not considered to be of any particular interest in the context of buildings of this type and date, and the building has been subject to

change during the 20<sup>th</sup> and early 21<sup>st</sup> century which has compromised the integrity of the fabric and design, and thus the level of interest that can be ascribed to the building.

- 6.86. Changes identified by Pegasus Group and Historic England include, but are not necessarily limited to:
- Physical changes to the interior which have altered the understanding of the historic layout and the overall character of the interior spaces.
  - The comprehensive upgrading of fenestration. All windows are modern uPVC units and all door units are modern in their fabric and character.
  - The removal of the historic servants' wing which has altered the understanding of the historic design intent and hierarchy of the building.
  - The addition of the 1970s Priory buildings which now flank the historic structure, with this altering the understanding of the design intent of the building, requiring new linking access routes to have been established in the external envelope and compromising the 'presence' of the building within the site.
- 6.87. On the basis of the above, Kingsland should not be classified a non-designated heritage asset for the purpose of decision-making.

## Remnant 19<sup>th</sup>-Century Buildings Associated with 'Kingsland'

- 6.88. Onsite assessment has identified two ancillary buildings associated with the development of Kingsland during the 19<sup>th</sup> century:
- Kingsland Lodge.
  - Ancillary building to the north of Kingsland.
- 6.89. 'Kingsland Lodge' is situated on the same footprint of the lodge depicted on archival sources as having been constructed as part of the redevelopment of the Kingsland complex in the mid-19<sup>th</sup> century. The building is situated to the north of the 19<sup>th</sup>-century approach (the current approach differs in this location – see further below), set behind a stone wall.
- 6.90. Analysis of the external envelope of the building would suggest that it has either being subject to substantive rebuilding or has been re-skinned. The latter is thought to be more likely based upon the roof structure. All window and door units are modern uPVC units, and the fenestration pattern is not reflective of what one would expect from a 19<sup>th</sup>-century lodge.
- 6.91. The ancillary building to the north of Kingsland is a part brick / flint and part weatherboard structure, with a modern clay tile roof covering. It was not possible to survey the interior of the building; however, based upon the external envelope of the structure it is considered that any surviving 19<sup>th</sup>-century fabric is isolated to the brick / flint elevations.



*Plate 80: Location of ancillary buildings associated with the development of Kingsland during the 19<sup>th</sup> century.*



*Plate 81: Kingsland Lodge as seen from the east.*



*Plate 82: South elevation of c.19<sup>th</sup> century ancillary building.*



Plate 83: North and east elevations of c. 19<sup>th</sup> century ancillary building.

### Statement of Potential Heritage Significance

- 6.92. Both structures were subject to visual inspection by Historic England; however, they were not subject to detailed assessment.
- 6.93. In considering the potential significance of these buildings as part of the Pre-Application process, the Mid Sussex District Council Conservation Officer set out the following:

***“Kingsland Lodge/The Chaplains House is a small brick-built cottage which appears to date from the early 20<sup>th</sup> century, replacing an earlier building which was set further to the east, when the line of London Road was altered. Given the relatively late date of this building, and its lack of architectural interest, I would***

***not regard it as being of sufficient special interest in the local context to be regarded as an NDHA.”***

***“The surviving outbuilding is also of some interest in terms of the narrative of the Kingsland estate, but again probably not enough to be NDHA material.”***

- 6.94. We concur with the position set out above, and do not consider that the buildings should be classified as non-designated heritage assets. Accordingly, they should not form part of the decision-making process and are not discussed further within this Report.

### Early 21<sup>st</sup>-Century Educational Structures

- 6.95. Planning history and onsite analysis has identified four structures within the Site associated with the development of educational facilities in the early 21<sup>st</sup> century.
- 6.96. Building 1 was constructed in c.2014 / 2015 in accordance with LPA Ref. 14/00213/FUL, with the permission having granted the demolition of an earlier structure. No heritage matters were raised by the Local Authority in regard to the demolition of the earlier structure.
- 6.97. Building 2 was also constructed in in c.2014 / 2015 in accordance with LPA Ref. 14/01905/FUL which also granted permission for the demolition of an earlier structure. No heritage matters were raised by the Local Authority in regard to the demolition of the earlier structure.

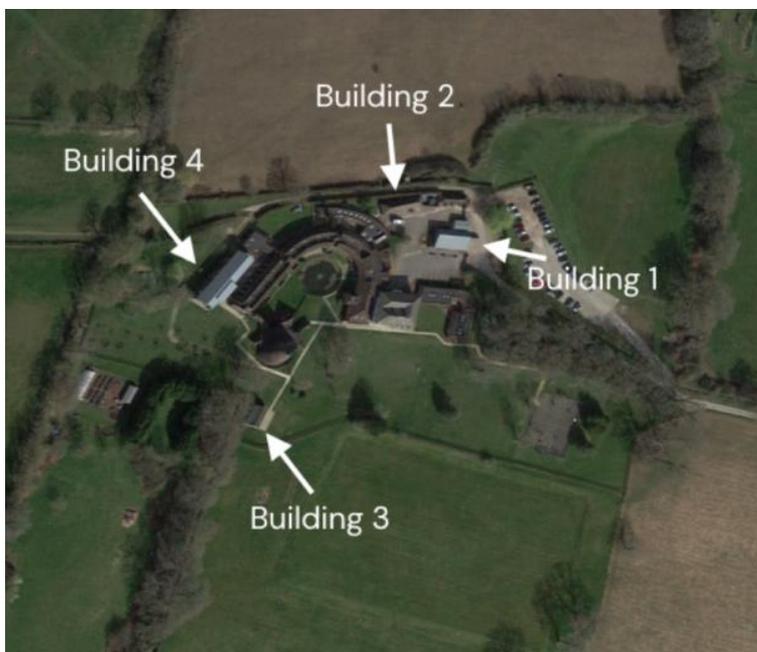


Plate 84: Location of early 21<sup>st</sup> century educational structures.

- 6.98. Building 3 comprises a small shelter situated to the south of the 1970s chapel, constructed in accordance with LPA Ref. 13/O1800/FUL.
- 6.99. Building 4 comprises a two-storey classroom building constructed to west of the 1970s Priory building in accordance with LPA Ref. 14/OO213/FUL.
- 6.100. Buildings 1-4 are of no architectural interest (in heritage terms) or historic interest, and their construction has resulted in a change to the character of the 19<sup>th</sup>-century ancillary yard to the north of Kingsland and wider designed landscape as then retained in their respective locations. Building 4 has also impacted upon the designed intent of the 1970s Priory complex.



Plate 85: Building 1 as seen from the south.



Plate 86: Building 2 as seen from the south.



Plate 87: View west towards the location of Building 2 detailing the former arrangement and character of the ancillary yard c.2014.



Plate 89: Building 4 as seen from the east.



Plate 88: Building 3 as seen from the east.



Plate 90: Building 4 as seen from the west.

6.101. No commentary on the early 21<sup>st</sup> century educational buildings was made by the Mid Sussex District Council Conservation Officer within their Pre-Application response.

### ‘The Bungalow ’

6.102. ‘The Bungalow’ was constructed between 1938 and 1953 based upon the archival record, with the physical form of the building indicating that it was constructed later within said period.



Plate 91: The Bungalow as seen from the southeast with the lodge to the north.

6.103. The structure is of no architectural or historic merit and does not contribute to the understanding of important aspects of the historic development of the Site. The construction of The Bungalow has also eroded the character of the 19<sup>th</sup>-century landscape in this part of the Site.

6.104. No commentary on The Bungalow was made by the Mid Sussex District Council Conservation Officer within their Pre-Application response.

### Surviving Elements of the 19<sup>th</sup>-Century Designed Landscapes

6.105. As detailed in **Section 2**, the redevelopment of the principal dwelling of Kingsland in the 19<sup>th</sup> century also saw the establishment of accompanying designed gardens and wider landscape. Analysis of the 19<sup>th</sup>-century landscape as originally designed (as detailed on historic cartographic sources) does not identify any design elements which can be considered of particular note in the context of designed domestic landscapes of this date. The overall approach to the design being typical of a designed domestic landscape of this date, associated with a building of this status.

6.106. Elements of the 19<sup>th</sup>-century designed landscape, as identifiable via historic cartographic sources, were identified during the site visit, include:

- The tree lined approach to Kingsland from the east. This does not, however, survive as a relic of the 19<sup>th</sup>-century composition with a new ‘spur’ added in the late 20<sup>th</sup> century and access no longer via the entrance adjacent to Kingsland

Lodge. This change has altered the understanding of the approach and experience of the entrance to Kingsland, as originally designed.

- A 'grove' area to the east of Kingsland (east of the 1970s 'guest wing') and south of the approach, the northern extent of which is defined by a stone wall.
- A stone ha-ha to the south of Kingsland. This now in part serves to separate the immediate surrounds of Kingsland (which are not a relic of the 19<sup>th</sup> century) from the sports pitches and recreational spaces to the south, set within the former 'open parkland'.
- A circular pond to the west of Kingsland, incorporated into the design of the 1970s Priory complex.
- Remnants of former 'open parkland' to the south and southeast of Kingsland, with this now primarily understood via the undeveloped nature and interspersed mature trees. The former parkland has, however, been subject to change via the introduction of the sports pitches and recreational spaces, including releveling of the area to the south of Kingsland and the introduction of high metal fencing.

6.107. In addition to the above, the area to the northeast of Kingsland remains understood as an ancillary area associated with Kingsland; however, as discussed above the character of this area has been subject to notable change in the early 21<sup>st</sup> century.



*Plate 92: View west along part of the tree lined approach.*



*Plate 93: Boundary wall enclosing the northern side of the 'grove'.*



*Plate 94: View northeast across the lawn with the ha-ha in the foreground.*



*Plate 96: View southwest across the western 'parkland'.*



*Plate 95: View across the lawn and parkland from the upper floor of Kingsland. Modern development to the south of the Site visible.*



*Plate 97: View southeast across the eastern 'parkland'.*

### Statement of Potential Heritage Significance

- 6.108. The remnants of the former 19<sup>th</sup>-century designed landscape within the Site are not statutorily Registered, nor have they previously been identified by the Local Authority as a non-designated heritage asset either via the compilation of a 'Local List' or consideration of planning applications pertaining to the Site and its immediate surrounds.
- 6.109. No commentary on the remnants of the former 19<sup>th</sup>-century designed landscape in its own right was made by the Mid Sussex District Council Conservation Officer within their Pre-Application response.
- 6.110. As established from the 19<sup>th</sup>-century mapping, the designed landscape is not considered to be of any particular interest in the context of designed landscape of this date, associated with buildings of this type.
- 6.111. Whilst elements of the 19<sup>th</sup>-century designed landscape associated with Kingsland remain intelligible, the current composition and character derives from the substantive change that has occurred during the late 20<sup>th</sup> and early 21<sup>st</sup> century. Such change relates to the introduction of new built form within the Site (including the 1970s Priory buildings), but also new areas of hardstanding, the relandscaping of the former parkland, changes to the principal approach, the releveling of the former parkland to the south of Kingsland, the introduction of new boundary treatments (in particular that which separates the immediate surrounds of Kingsland from the former parkland areas to the south). Change has also occurred to the experience of the designed landscape as a result of the introduction of the new residential development to the south.

- 6.112. The result is that original design intent and integrity of the designed landscape has been compromised, and whilst some individual features may be considered to be of modest architectural or historic interest, the overall landscape is not retained to a sufficient degree as to warrant classification as a non-designated heritage asset.

### Other Areas Within the Site

- 6.113. A cemetery is situated in the western part of the Site, with this established in the 1970s as part of the development of Priory complex, in accordance with LPA Ref. HP/O828/75. The burial ground is of some historic interest as part of the development of the Priory of Our Lady of Good Counsel in the 1970s; however, it not considered to be of sufficient interest to warrant classification as a non-designated heritage asset.
- 6.114. No commentary on the cemetery was made by the Mid Sussex District Council Conservation Officer within their Pre-Application response.

## 7. The Wider Historic Environment

- 7.1. With regards to other heritage assets within the surrounds of the site, Step 1 of the methodology recommended by *GPA3* (see methodology), is to identify which heritage assets might be affected by a proposed development.<sup>12</sup>
- 7.2. There are 17 no. Listed Buildings within 1km of the Site, the nearest of which is the Grade II Listed Kingscot, a c.17<sup>th</sup>-century dwellings situated on the western side of the B2118 c.50m from the Site at its closest point.
- 7.3. Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a heritage asset, or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.
- 7.4. It is however widely accepted (paragraph 213 of the *NPPF*) that not all parts of a heritage asset will necessarily be of equal significance.<sup>13</sup> In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.
- 7.5. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.

- 7.6. Consideration, based upon professional judgement and on-site analysis, was therefore made as to whether any of the heritage assets present within the surrounding area may include the site as part of their setting, whether the site contributes to their overall heritage significance, and whether the assets may potentially be affected by the proposed scheme as a result.
- 7.7. This concluded that the only heritage asset within the surrounds of the Site that had the *potential* to be sensitive to development was the Grade II Listed Kingscot. It is also noted that this is the only designated heritage assets identified by the Mid Sussex District Council Conservation Officer within their Pre-Application response.

### Grade II Listed Kingscot

- 7.8. The Grade II Listed Kingscot was added to the National List on 11<sup>th</sup> May 1983, with the List Entry providing the following summary of the asset:

***“Probably C17 building, restored and refaced with painted brick. Tiled roof. Modern casement windows. Two storeys. Four windows.”***

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<sup>12</sup> Historic England, *GPA:3*, p. 4.

<sup>13</sup> DLUHC, *NPPF*, para. 213.

7.9. Archival sources indicate that the property historically comprised two dwellings, evidence of which is retained within the internal layout of the building and presence of two staircases.<sup>14</sup>

7.10. Kingscot is situated on the west side of London Road, with the principal elevation to the east facing across a domestic garden and towards London Road beyond. The building is set back from the road by c.10m, with the London Road boundary being marked by a high close boarded timber fence and mature vegetation. Such boundary treatment creates a physical and visual barrier between the asset and London Road and limits the extent of the understanding and experience of the asset from this route. Where visible from London Road, Kingscot is now most commonly viewed in-conjunction with 20<sup>th</sup> and 21<sup>st</sup> century residential dwellings along London Road. This includes a grouping of dwellings immediate to the south of the Kingscot demise constructed in c.2015.

7.11. In considering the grouping of dwellings immediately to the south of Kingscot under LPA Ref. 14/O4179/FUL, the Mid Sussex Conservation Officer set out the following:

***“The historic significance of the designated heritage asset will be little affected by the intended development and there is no objection”***

7.12. Archival sources demonstrate that Kingscot was historically set back much further from the route of London Road, with intervening-built form between the asset and the route (see Plate 100). The current spatial relationship with the road results from later changes to the alignment of this route and the removal of the earlier buildings.

7.13. Further domestic gardens lie to the north, northeast and northwest of the property, the composition and character of which results from 20<sup>th</sup>-century changes, including the creation of a large pond to the north, the introduction of a swimming pool to the rear of the property and the construction of an ancillary building to the northeast, adjacent to the current access route to the cottage.

7.14. Recently completed residential development on Heron Close and Nuthatch Lane extends to the western boundary of the Kingscot demise. These properties, and the c.2015 dwellings to the south, are clearly visible from within the demise of the property.<sup>15</sup> Development to the west has been constructed in accordance with a 2012 Outline and subsequent 2019 Reserve Matters application (LPA Ref. 12/O1540/OUT and DM/19/1148). The Outline permission was allowed at Appeal (PINS Ref. APP/D3830/A/12/2189451RD). The Inspector did not raise any concerns regarding Kingscot; indeed, the asset was not discussed within the Appeal Decision, nor prior correspondence from the Mid Sussex District Council Conservation Officer.

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<sup>14</sup> 2025 Sales Particulars for Kingscot – [www.chattestates.co.uk/4-bedroom-detached-property-savers-common-ref-09992613868716969](http://www.chattestates.co.uk/4-bedroom-detached-property-savers-common-ref-09992613868716969) <Accessed 26th November 2025>

<sup>15</sup> Ibid.



Plate 98: 2025 aerial photograph with Kingscot highlighted in yellow.

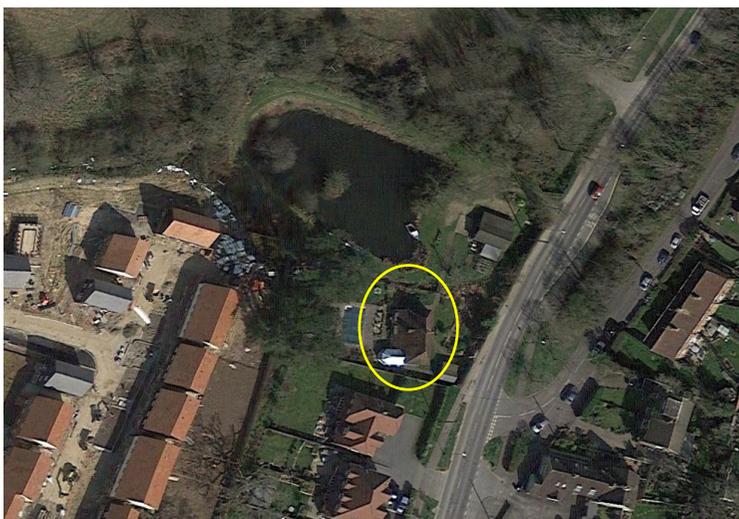


Plate 99: 2022 aerial photograph with Kingscot highlighted in yellow.

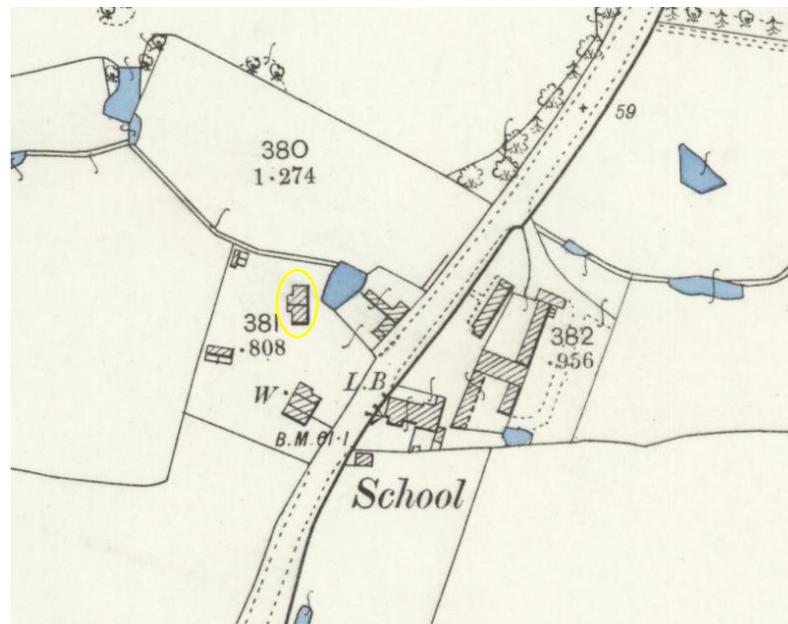


Plate 100: Extract from the Ordnance Survey Map of 1896 with Kingscot highlighted in yellow.

### Statement of Significance

- 7.15. The heritage significance of Kingscot is principally derived from the architectural and historic interest of its physical fabric as an example of a post-medieval vernacular architecture.
- 7.16. The setting of the asset also contributes to the significance of the asset, although the significance derived from the setting is less than that derived from its historic fabric. Furthermore, as detailed above, the surrounds of the asset have been subject to notable change during the 20<sup>th</sup> and early 21<sup>st</sup> centuries.

- 7.17. The principal elements of the physical surrounds and experience of the asset (its "setting") which are considered to contribute to its heritage significance comprise:
- The positioning of the asset within its domestic demise, and the understanding and experience of it from this location, with this being the area from which its architectural detailing and evolution can be best understood.
  - The spatial and visual connection between the asset and London Road, albeit acknowledging the change that has occur to the character and alignment of this route.

Contribution Made by the Site

- 7.18. In considering Kingscot within their Pre-Application response, the Mid Sussex District Council Conservation Officer made the following commentary in regard to its 'setting':
- "...the surviving rural setting of the listed building (which consists primarily of the site to the north and northwest) will be considered to contribute positively to the special interest of the listed building and how this is appreciated, in particular those parts of that interest which are drawn from historical illustrative and aesthetic values. The site is particularly important in terms of the context in which the house is appreciated in views from London Road, including the character of the approach to it from the north."***

- 7.19. It is not considered that the above accurately takes into account the evolution of the surrounds of Kingscot, the current situation or the manner to which the understanding and experience of the asset has the potential to contribute to its significance. Furthermore, whilst elements of the Site to the north and northwest of the asset may be undeveloped, it is not considered accurate to describe it as 'rural' in character. Such areas comprise modern, engineered sports pitches and the remnants of a former designed landscape (Area A). Such areas are experienced in the context of the modern institutional use of the Site, and adjacent modern development. Area B retains a greater sense of the former agricultural context; however, this is distinctly removed from the asset and is not understood or experienced from, or in-conjunction with, the asset.

- 7.20. There is no historic functional or associative connections between the asset and the Site.

- 7.21. Any visual connections between the asset and the Site are limited to co-visibility between the asset and the London Road frontage of the Site from an isolated section of this route, in particular when travelling southwards. In such cases, views are limited to the partially obscured views of the gable elevation with the modern outbuilding in the foreground and modern development to the rear. Views are anticipated to be further screened at times when vegetation is in full leaf.

- 7.22. No intervisibility between the asset and the wider Site has been identified.

- 7.23. When taking into account the existing baseline, the only element of the Site which can be considered to contribute to the understanding and experience of the asset is the undeveloped element of the London Road frontage, south of the existing access route. By virtue of its undeveloped nature, this part of the Site facilitates the views from London Road, as discussed above. However, when taking into account the nature of these views, they are considered to make a minor, at most, contribution to the overall experience and appreciation of the asset.
- 7.24. The remainder of the Site is considered to form part of the 'setting' of the asset which makes a neutral contribution to its significance.

## 8. Assessment of Potential Impacts

- 8.1. This Section addresses the heritage planning issues that warrant consideration in the determination of the application for Hybrid Planning Permission for the redevelopment of the Site in line with the proposals set out within **Section 3** of this Report.
- 8.2. As detailed in **Section 5**, the *Planning and Compulsory Purchase Act (2004)* requires that applications for Planning Permission are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process.
- 8.3. The statutory requirement set out in Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* confirms that special regard should be given to the preservation of the special historic and architectural interest of Listed Buildings and their settings.
- 8.4. In addition, the *NPPF* states that the impact of development proposals should be considered against the particular significance of heritage assets, such as Listed Buildings and Conservation Areas, and this needs to be the primary consideration when determining the acceptability of the proposals.
- 8.5. It is also important to consider whether the proposals cause harm. If they do, then one must consider whether the harm represents "*substantial harm*" or "*less than substantial harm*" to the identified designated heritage assets, in the context of paragraphs 214 and 215 of the *NPPF*.<sup>16</sup> With regard to non-designated heritage assets, potential harm should be considered within the context of paragraph 216 of the *NPPF*,<sup>17</sup> as discussed further below.
- 8.6. The *PPG* clarifies that within each category of harm ("*less than substantial*" or "*substantial*"), the extent of the harm may vary and should be clearly articulated.<sup>18</sup>
- 8.7. The guidance set out within the *PPG* also clarifies that "*substantial harm*" is a high test, and that it may not arise in many cases. It makes it clear that it is the degree of harm to the significance of the asset, rather than the scale of development, which is to be assessed.<sup>19</sup>
- 8.8. In addition, it has been clarified in a High Court Judgement of 2013 that substantial harm would be harm that would:
- "...have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced."***<sup>20</sup>

<sup>16</sup> MHCLG, *NPPF*, paras. 214 and 215.

<sup>17</sup> MHCLG, *NPPF*, para. 216.

<sup>18</sup> MHCLG, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

<sup>19</sup> MHCLG, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

<sup>20</sup> EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.

8.9. The only designated heritage asset that has been identified to be sensitive to the proposals is the Grade II Listed Kingscot, with any harm resulting from a change in 'setting' only.

8.10. When considering changes in 'setting', the Inspector in a recent Secretary of State Appeal Decision clearly set out that:

***"In cases where the impact is on the setting of a designated heritage asset, it is only the significance that asset derives from its setting that is affected. All the significance embodied in the asset itself would remain intact. In such a case, unless the asset concerned derives a major proportion of its significance from its setting, then it is very difficult to see how an impact on its setting can advance a long way along the scale towards substantial harm to significance."***<sup>21</sup> (our emphasis)

8.11. As detailed within **Section 7**, Mid Sussex District Council have identified the 1970s Priory buildings to represent non-designated heritage assets in the terms of the NPPF. No further buildings within the Site, nor the remnants of the 19<sup>th</sup> century design landscape, are considered to be classified as such.

8.12. Potential impacts on non-designated heritage assets should be considered within the context of Paragraph 216 of the NPPF.<sup>22</sup> There is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset.

8.13. High Court Judgements have confirmed that when considering potential impacts on non-designated heritage assets within the decision-making process, the balanced judgement required is different from the public benefits exercise associated with designated heritage assets (as set out in Paragraphs 214 and 215 of the NPPF).<sup>23</sup>

8.14. Within a High Court Judgment of 2017, Jarman HHJ confirmed that the only requirement of the NPPF in respect of non-designated heritage assets is "that the effect of an application on the significance should be taken into account".<sup>24</sup>

8.15. This was further expressed in the Bohm decision, which stated that:

***[34] "Unsurprisingly, given that an NDHA [non-designated heritage asset] does not itself have statutory protection, the test in para 135 [Paragraph 216 of the 2024 NPPF] is different from that in paras 132-4 [Paragraphs 213-215 of the 2023 NPPF], which concern designated heritage assets. Paragraph 135 [Paragraph***

<sup>21</sup> APP/H5390/V/21/327713 [2023] – Edith Summerskill House, Clem Attlee Court, London, SW6 7TW, Paragraph 12.50 of main Decision.

<sup>22</sup> MHCLG, NPPF, para.216.

<sup>23</sup> MHCLG, NPPF, paras. 214 and 215.

<sup>24</sup> Travis Perkins (Properties) Limited v Westminster City Council [2017] EWHC 2738 (Admin), Paragraph 44.

216 of the 2024 NPPF] ***calls for weighing “applications” that affect an NDHA, in other words the consideration under that paragraph must be of the application as a whole, not merely the demolition but also the construction of the new building. It then requires a balanced judgement to be made by the decision maker. The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter.***<sup>25</sup>

- 8.16. The proposed development would result in the demolition of the Monastic Arc and the Secular Wing. The total loss of these buildings should be considered in the policy context set out above.
- 8.17. When considering the loss, it is important to take into account that both elements of the complex have been subject to change internally and externally, and do not represent a relic of their original form. Furthermore, the Secular Wing is considered to be the element of the complex which holds the least architectural and historic interest.
- 8.18. Accordingly, the proposed demolition on the Monastic Arc and the Secular Wing, for the purpose of decision-making, can be classified as the total loss of non-designated built form of low local value.
- 8.19. Whilst Kingsland is not considered to be of sufficient interest to warrant classification as a non-designated heritage asset in its own right, it is nonetheless

acknowledged as forming part of the ‘setting’ of the Chapel which contributes to its significance.

- 8.20. As set out above, the remainder of the built form to be demolished is of insufficient interest to warrant classification a non-designated heritage asset or is of no architectural or historic interest. Furthermore, such buildings are not deemed to form part of the ‘setting’ of the retained elements of the built form, namely the former Chapel, which contributes to their significance. Accordingly, the loss of these is not considered to be a heritage planning matter.
- 8.21. The Chapel is to be retained and would be utilised to serve Class F uses. The extent of built form retained includes the projecting connecting corridor to the north and the Bless Sacrament Chapel, thus preserving the design intent resulting from alignment and form of all spaces, including circulation spaces adjacent to the principal space.
- 8.22. No physical changes are proposed to the exterior or interior of the building under the current application. It is acknowledged that future changes are likely be required in order to serve the proposed use class; however, such changes would be subject to future application, as required. In this context, as the former Chapel is not statutorily Listed there are no heritage related planning restrictions on works to the interior of the building. Thus, changes to the interior can be made without the need for Planning Permission.

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<sup>25</sup> Bohm [2017] EWHC 3217 (Admin).



8.27. The principal access route through the Site will be delivered via the 'Full' element. As demonstrated at Plate 101, this access route has been aligned with the former Chapel so that the structure forms a visual landmark within the development and remains visible from London Road.



*Plate 102: Illustrative sketch of a view of the former Chapel as seen from within the proposed residential area.*

8.28. By virtue of the informed approach taken, the proposed development will be understood as part of the ongoing evolution of the Site which, as per earlier phases of change, retains an understanding of the varied time depth.

8.29. The retained former Chapel is not considered to be sensitive to development in Area B, nor does this area form part of the 19<sup>th</sup>-century designed landscape.

8.30. With regard to the Grade II Listed Kingscot, the only element of the Site which has been identified as positively contributing to the understanding and experience of the asset (see **Section 7**) would not be subject to change. Specifically, the Land Use and Green Infrastructure Parameters Plans secure the exclusion of built form from the London Road frontage south of the access route. Furthermore, even where development is proposed in proximity to London Road, as secured via the Land Use and Green Infrastructure Parameters Plans, this would be within the locality of existing built form and set back from the road. Accordingly, development would not be introduced such that it would obstruct views of Kingscot when travelling along London Road, nor introduce built form into views where modern built form is not already experienced in-conjunction with the asset.

8.31. When taking into account the existing baseline, the required changes to the access point are not considered to alter the ability to understand or experience of the asset.

8.32. The same is also considered to be the case with regard to the remainder of proposed development. As secured via the Land Use and Green Infrastructure Parameters Plans, residential built form proposed under the Outline application would be set away from the asset and its associated demise and would not result in a change that would alter the ability to understand or experience the asset as an example of post-medieval vernacular architecture situated within a defined domestic demise adjacent to London Road. As discussed in **Section 7**, the area of the proposed school (Area B) is distinctly removed from the asset and is not understood or experienced from, or in-conjunction with, the asset.

8.33. When taking into account the existing baseline and the informed nature of the proposed development, it is concluded that no harm would arise to the overall heritage significance of Kingscot as a result of a change in 'setting', and we respectfully disagree with the Mid Sussex District Council Conservation Officer that a 'low-mid level' of less than substantial harm would arise, as set out within their Pre-Application response.

### Summary Conclusions

8.34. In summary, the proposed development would result in the total loss of built form which has been classified by Mid Sussex District Council as non-designated heritage assets – the Monastic Arc and the Secular Wing.

8.35. The Chapel is to be retained alongside elements of the 19<sup>th</sup>-century designed landscape associated with Kingsland. It is understood that the former Chapel may be classified by Mid Sussex District Council as non-designated heritage asset.

8.36. The 'parameters of development' for Area A to 'approved' as part of the Permission secure a number of design responses which provide an informed and proportionate approach to an understanding of the historic development site, and the experience of the Chapel.

8.37. The principal access route through the Site, which will be delivered via the 'Full' element of the Permission, has been aligned with the former Chapel so that the structure forms a visual landmark within the development, and remains visible from London Road.

8.38. The retained Chapel is not considered to be sensitive to development in Area B, nor is does this area form part of the 19<sup>th</sup>-century designed landscape.

8.39. Accordingly, the proposed development is considered to result in a moderate impact on the overall heritage significance of the Chapel as a result of the loss of its contextual setting. This needs to be considered alongside the informed and sensitive response proposed by the proposed 'parameters of development' as discussed above.

8.40. The only designated heritage asset that has been identified to be sensitive to the proposals is the Grade II Listed Kingscot, with any change resulting from a modification in 'setting' only. The proposed development, in particular when taking into account the parameters secured under the Outline Permission, would not result in a change in 'setting' that would impact upon the overall understanding and experience, and thus heritage significance, of Kingscot.

## 9. Conclusions

- 9.1. Built form within the Site was subject to assessment by Historic England in 2025 with the resulting decision being not to designate the structures. Thus, there are no designated heritage assets located within the bounds of the Site, nor is the Site located within a Conservation Area
- 9.2. The proposed development would result in the total loss of some of the built form which has been classified by Mid Sussex District Council as non-designated heritage assets – the Monastic Arc and the Secular Wing.
- 9.3. The Chapel, which has also been identified by Mid Sussex District Council as a non-designated heritage asset, is to be retained alongside elements of the 19<sup>th</sup>-century designed landscape associated with Kingsland.
- 9.4. The ‘parameters of development’ for Area A to be ‘approved’ as part of the Permission secure a number of design responses which provide an informed and proportionate approach to an understanding of the historic development site, and the experience of the former Chapel.
- 9.5. The retained Chapel is not considered to be sensitive to development in Area B, nor does this area form part of the 19<sup>th</sup>-century designed landscape.
- 9.6. The proposed development is considered to result in a moderate impact on the overall heritage significance of the Chapel as a result of the loss of its contextual setting. This needs to be considered alongside the informed and sensitive response proposed by the proposed ‘parameters of development’ as discussed above.
- 9.7. The resulting harm should be considered in the context of Paragraph 216 of the NPPF which states that:
- “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”***<sup>26</sup>
- 9.8. High Court Judgements have confirmed that when considering potential impacts on non-designated heritage assets within the decision-making process, the balanced judgement required is different from the public benefits exercised associated with designated heritage assets (as set out in Paragraphs 214 and 215 of the NPPF).<sup>27</sup>

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<sup>26</sup> MHCLG, NPPF, para. 216.

<sup>27</sup> MHCLG, NPPF, paras. 214 and 215.

- 9.9. The only designated heritage asset that has been identified to be sensitive to the proposals is the Grade II Listed Kingscot, with any change resulting from a modification in 'setting' only. The proposed development, in particular when taking into account the parameters secured under the Outline Permission, would not result in a change in 'setting' that would impact upon the overall understanding and experience, and thus heritage significance, of Kingscot.
- 9.10. Accordingly, the proposed development is in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, and Section 16 of the NPPF and Local Policy in so far as they apply to the consideration of designated heritage assets.



# Appendix 1: Historic England Assessment

# Case Name: Former Priory of Our Lady of Good Counsel (now LVS Hassocks school)

**Case Number: 1491873**

## Background

Historic England has been asked to assess the former Priory of Our Lady of Good Counsel, now LVS Hassocks school, for listing.

## Asset(s) under Assessment

Facts about the asset(s) can be found in the Annex(es) to this report.

Annex	List Entry Number	Name	Heritage Category	HE Recommendation
1	1493848	Former Priory of Our Lady of Good Counsel	Listing	Do not add to List

## Visits

Date	Visit Type
28 March 2025	Full inspection

## Context

The former Priory of Our Lady of Good Counsel is a complex of buildings which dates from 1976-1980 and includes a converted C19 house. Additional buildings have been added to the site since 2007, when it became a school. The site is not in a conservation area and there are no listed buildings close by.

The site has been allocated for housing and a replacement school by Mid Sussex District Council in its local plan 2021-2039, which was submitted to the Secretary of State for Housing, Communities and Local Government in July 2024.

## Assessment

### CONSULTATION

The sites' owner and occupier, their representative, the listing applicant, the local planning authority (Mid Sussex District Council), the West Sussex Historic Environment Record (HER) and the Twentieth Century Society were consulted on our initial report.

THE TWENTIETH CENTURY SOCIETY responded in strong support of the buildings' listing. The Society considers the complex to be a high quality work of architecture with an imaginative layout.

MID SUSSEX DISTRICT COUNCIL responded to draw our attention to the fact that the site has been identified for development in its local plan 2021-2039 which has been submitted to the Secretary of State for Housing, Communities and Local Government.

THE WEST SUSSEX HER provided an HER record for the site.

THE SITE'S OCCUPIER responded to provide details of various planning applications for alterations and additions to the site since 2007 (when it became a school) and to express the view that the buildings of the former priory do not have special architectural or historic interest.

PEGASUS GROUP responded on behalf of the site's owner and occupier to provide a detailed analysis of alterations to the former priory buildings and assessment of their architectural and historic interest. The response concludes that the buildings are too altered and not of sufficient interest to warrant listing.

THE LISTING APPLICANT provided a detailed response which included some minor factual corrections and suggested that our report should acknowledge the following:

- \* the wide influences on Blee's work which are manifest in the building's architecture, as discussed in several published sources;
- \* that this was a local commission for Blee, whose practice was based in Lewes, Sussex;
- \* that Blee was awarded a doctorate by Sussex University in 1982 and in 1994 the RIBA South East Region Medal for his outstanding contribution to architecture;
- \* that the design of the priory was exhibited in the Royal Academy of Arts Summer Exhibition, 1976;
- \* the value that the local community placed on the site, as evidenced by its publication in local newspapers at the time of its construction, and its community value once completed as a venue for events;
- \* that the building was home to Barbara Vernon Bailey (Sister Mary Barbara) the artist behind the original Bunnykins designs for Royal Doulton ceramics;
- \* the importance of the buildings' setting and their prominence in the landscape;
- \* the threat to the site as a result of its allocation in the Local Plan.

HE response: our consultation reports are necessarily brief. We acknowledge the factual accuracy of the points raised by the applicant but only information which has the strongest bearing on the assessment for listing will be addressed in the report. We were not aware that the building was home to the artist behind the familiar and widely collected Royal Doulton Bunnykins range. However, Sister Mary Barbara ceased producing the artwork in 1950, before moving to the new priory, and although an interesting figure, her connection with the site is not sufficient to constitute special historic interest.

We are grateful to all those who responded to our consultation, in some cases in considerable depth. We have taken all relevant points into consideration and where appropriate these are addressed in our assessment below. The threat to the building as a result of its allocation in the local plan, and the implications were it to be listed, were raised by several consultees. These are not factors which can be taken into consideration in the assessment for special architectural or historic interest and so are not addressed in the discussion below.

## DISCUSSION

The former Priory of Our Lady of Good Counsel, now LVS Hassocks school, is assessed for listing against the criteria of special architectural or historic interest, as set out in the Department of Culture, Media and Sport's Principles of Selection for Listed Buildings (DCMS 2018). To be of special architectural interest a building must be of importance in its design, decoration or craftsmanship. To be of special historic interest a building must illustrate important aspects of the nation's history and/or have closely substantiated historical associations with important individuals, groups or events. In general terms, the older a building is the more likely it is to have special interest, therefore careful selection will be applied to more recent buildings, specifically those post-dating 1945.

Further information on the selection for listing of religious houses is covered by our listing selection guide: Places of Worship (HE 2017), with more detailed contextual background provided by the document: 19th- and 20th-Century Convents, part of our Introduction to Heritage Assets series.

The former Priory of Our Lady of Good Counsel (1976-1980) was built for a female Augustinian order of nuns who had been based in Haywards Heath from the late C19. Wishing to turn their focus from teaching towards pastoral work, they commissioned a new priory with facilities for conferences, seminars and retreats from Michael Blee Whittaker Partnership. The site became a school in 2007.

Blee's design for the priory was a creative and sensitive response to its brief. The introspective planning of the complex, arranged around a circular pond, echoes the more familiar monastic arrangement of cloisters around a courtyard and the interior functions of the buildings are distinguished, more or less explicitly, in the massing and architectural treatment of the exteriors. The principal buildings (the chapel and monastic arc) combine understated late-C20 Gothic with contextual, vernacular references. The monastic arc has a level of interest for its sophisticated sectional planning and the powerful imagery of its timber frame, which is experienced well in the larger public spaces of the main refectory and in the former narthex and archives room. The striking conical chapel is the architectural focal point of the site, providing a strong, soaring interior and serving as a marker in the landscape – part church spire, part oasthouse. The site is a key work by

Michael Blee, who built relatively little but who made an important contribution to his profession through his housing and ecclesiastical work, a long career in teaching, and his involvement with the RIBA.

Set against these claims to interest is the more limited success of some aspects of the architecture. Blee's approach was one of simple details and honest expression of materials and structure. However, within parts of the monastic arc these values translate less well. The building's structure is complex, including concrete columns and beams, cantilevers and load-bearing cross-walls as well as the timber frame. In the more intricate, cellular parts of the plan and circulation spaces the expression of these elements reads fragmentarily, undermining the simple clarity of the materials and detailing. Externally, the formal massing of the monastic arc is not in all cases well resolved, for example in the bulk of the stair tower by the main refectory and to the south-west, where the chapel lobby meets the arc.

The monastic arc has also undergone alteration. The concrete blockwork has been painted and the internal plank doors and screens replaced, undermining Blee's emphasis on craftsmanship and simple, exposed materials. Furthermore, the subdivision of the narthex and archives area has compromised some of the most spatially interesting areas of the interior. Externally, the rhythm and proportions of the fenestration, specifically on the first floor, has been altered with the addition of spandrel panels to create a more horizontal emphasis and the guest wing and main refectory have both lost their original windows to uPVC replacements.

The chapel is the most striking single element of the site, both for its silhouette and its interior volume. However, with the exception of the lighting brackets, there are no bespoke features, only the organ and monastic stalls which date to the C19 and were brought from the priory's earlier site in Haywards Heath. The planning of the worship space is straightforward and the detail and finishes generally consistent with those in the monastic arc. Overall, the building does not possess the architectural interest of comparable later-C20 churches on the List, such as the Church of St Anne, Fawley Court, Bucks, 1971-1973 by Wladislaw Tadeusz George Jarosz (National Heritage List for England entry 1393459), built for the Congregation of Marian Fathers.

Kingsland House is a C19 building retained on the site by Blee to provide additional accommodation for the nun's pastoral activities. While some of its original features survive, it is too altered to have intrinsic architectural interest based on its age.

The former Priory of Our Lady of Good Counsel is an unusual example of a religious house dating from the late C20. In general terms, post-war architecture associated with such sites has been in the form of additions to earlier complexes. For example, Francis Pollen's library of 1965-1970 at Downside Abbey (listed Grade II, NHLE entry 1482372) and Michael Blee's 1993 completion of Douai Abbey Church at Woolhampton, Berkshire in 1993 (listed Grade II\*, NHLE entry 1156252). This gives the site a degree of historic interest as a late example of the typology, but not such that it overrides the matter of architectural interest.

Although undoubtedly of some architectural and historic interest, on balance, the architecture is not sufficiently strong, in part due to later alterations, to possess special architectural interest and although an important work by Blee and unusual as a late-C20 religious house, it is not of special historic interest. It is therefore recommended that the priory is not added to the National Heritage List for England.

## CONCLUSION

After examining all the available records and other relevant information and having carefully considered the architectural and historic interest of this case, the criteria for listing are not fulfilled. The former Priory of Our Lady of Good Counsel is therefore not recommended for listing.

## REASONS FOR DESIGNATION DECISION

The former Priory of Our Lady of Good Counsel, 1976-1980 by the Michael Blee Whittaker Partnership is not recommended for listing for the following principal reasons:

Degree of architectural interest:

- \* while a sensitive and creative response to its brief, its architectural success is not consistent throughout the complex and overall does not amount to special interest;
- \* the complex has been compromised by alterations to the plan, loss of original joinery and overpainting of interior finishes.

Degree of Historic interest:

\* although an important work by Michael Blee and unusual as a late-C20 religious house, these factors are not sufficient to outweigh the limitations of the complex's architectural interest.

**Countersigning comments:**

Agreed. 3/7/25

# Annex 1

## Factual Details

**Name:** Former Priory of Our Lady of Good Counsel

**Location:** LVS Hassocks, London Road, Sayers Common, West Sussex, BN6 9HT

County	District	District Type	Parish
West Sussex	Mid Sussex	District Authority	Hurstpierpoint and Sayers Common

## History

The former Priory of Our Lady of Good Counsel was built in 1976-1980 to designs by the Michael Blee Whittaker Partnership.

The female Augustinian order of Our Lady of Good Counsel originated in C16 Bruges, but from the late C19 had a branch based in Haywards Heath. In the early 1970s, wishing to turn their focus from teaching towards pastoral work, the Haywards Heath nuns sold their Franklynn Road priory (chapel of 1887-1888 by Edward Goldie, listed Grade II, National Heritage List for England entry 1192431) in favour of a more rural location where they could build a new priory with facilities for conferences, seminars and retreats.

The site chosen, a small estate then known as Kingsland, was in the village of Sayers Common, approximately eight miles south-west of their former home. The C19 house was mostly retained and converted for conference use (the service wing to the west was demolished). Also retained was a circular pond in the garden, becoming a focal point for the new priory complex which was designed around it. The architects Michael Blee and Roderick Whittaker spent two years in consultation with the 40 nuns of the order to develop an understanding of their way of life and their spiritual and practical needs, before finalising the design.

As built, the complex comprised a chapel and a long curving range, referred to as the monastic arc, which provided private accommodation suited to an order dedicated to prayer and worship. The arc transitioned via a shared entrance hall, known as the narthex, into the public-facing secular facilities of the refectory, converted Kingsland house and guest wing. With their pitched roofs and palette of brick, timber and tile, the new buildings made references to the local vernacular. Within, the striking, exposed, dark-stained timber frame drew comparisons from critics with both Sussex barns and Kyoto temples. Also noted in contemporary write-ups was the understated quality of the interiors, with timber planked doors and screens, tiled floors and walls of exposed honey-coloured Forticrete blockwork. On its completion the complex won a Civic Trust commendation and a RIBA Regional Award commendation, both in 1980.

With time, the number of nuns at the priory dwindled and in 2007 the site was sold to the Licence Trade Charity which established LVS Hassocks, a special educational needs school for children with autism. The chapel was deconsecrated and various alterations were made to the buildings to accommodate the new use. Additional buildings were also added to the site.

Michael Blee (1931-1996) studied architecture at the Brighton College of Arts and Crafts (now Brighton University) where he later returned to teach for over 30 years. Following national service in the Royal Engineers in Malaya (now Malasia), he worked and travelled widely in the Far East before returning to England to join his brother Anthony in Basil Spence's practice. In 1957 he won a Fulbright Scholarship to study for his masters in architecture at the Massachusetts Institute of Technology and whilst in Boston he worked at the Architects' Collaborative under Walter Gropius.

Blee established his own practice in the early 1960s, working with several partners and associates over his career. Alongside teaching full-time, he produced a body of work mainly comprising small housing schemes and churches. The son of a clergyman and a lay Anglican diocesan reader himself, his ecclesiastical work was informed by his faith and by the values of the liturgical movement. Blee's work includes the substantial rebuilding of the Church of All Saints, Hounslow in 1967-1970 (listed at Grade II\*, NHLE entry 1358287) and the completion of Douai Abbey Church at Woolhampton, Berkshire in 1993 (listed at Grade II\* prior to Blee's contribution, NHLE entry 1156252).

## Details

Former Priory of Our Lady of Good Counsel, now school, 1976-1980, built to designs by the Michael Blee Whittaker Partnership. The complex includes the converted mid-C19 house, Kingsland.

**MATERIALS:** laminated timber frame construction and loadbearing walls of fair-faced Forticrete blockwork, over-painted in most areas. Exterior walls faced in red brick, and timber panels. Clay tile roofs. Windows are timber, with a number of early C21 replacements in timber and uPVC.

**SITE LAYOUT:** the main complex comprises four components: to the south is the former chapel; to the north is a two-storey range of mixed accommodation which arcs around a circular pond (this part of the site was formerly referred to as the monastic arc); attached to the east of this is the converted C19 house, Kingsland; to the east of this is the former guest wing.

**FORMER CHAPEL:** this is ovoid in plan, its geometry that of two eliding cones, 20 metres in height, rising to a fully glazed cap. Two opposing glazed strips run the height of the structure. Externally clad in clay tile, the chapel is essentially one very large conical roof.

Interior: lined with vertical timber boarding between black structural timber ribs interspersed with elongated black timber lighting brackets. A C19 organ brought from the Haywards Heath chapel stands to the east.

To the north is a small pyramidal side chapel, the interior lined with carved monastic stalls from the nuns' C19 chapter room. A curved corridor connects the chapels and links at either end to two counter-curving pitched roof entrance porches. The circulation spaces are of painted blockwork, externally faced in red brick.

**THE ARC:** this is a long, narrow two-storey range shaped like a hairpin, overlooking a circular pond to the south and tracing the northern edge of its circumference. It has a complex plan and sophisticated sectional structure based on parallel intersecting pitched-roof volumes. A cloister-like glazed corridor alternates between running along the inside of the curve, overlooking the pond, and the outside of the curve where it acts as a service corridor. The length of the plan is bisected by stair halls which group the rooms broadly by intended function and activity.

The end of the arc closest to the chapel contained nuns' cells and associated accommodation, arranged in two parallel rows divided by a central corridor. To the north of this, as the plan begins to curve eastwards, were community rooms, workshops and further cells on the first floor. Beyond, as the plan starts to turn southwards, was the nuns' refectory, first-floor library, archive room, the narthex and main entrance, and lastly at the south end, the double-height main refectory. Service functions including the laundry and kitchens are in single-storey blocks projecting northwards from the outer edge of the curve.

While the main entrance is to the north, the building is principally experienced from the south, within the curve of the arc. The elevations are a mixture of glazing and dark timber panels held in vertical mullions, red brick and hung tiles. There has been some window replacement, in particular an exchange of full-height first-floor windows and opening doors with Juliette balconies, for smaller windows with inserted spandrels beneath. The multiple roofs run in parallel and are all pitched at 40 degrees to the horizontal; over the stair halls the main pitch extends down to the ground, enclosing small seating alcoves within (now blocked internally). External doors are glazed, with glazing bars at the head forming a triangular arch. These doors are painted white in contrast with the rest of the joinery which is dark.

The main entrance to the north is raised above ground level and reached via a wide flight of brick steps (now with ramp to the side). The doors are of diagonal plank construction and are set within a glazed screen.

Interior: the building's laminated timber-framed is exposed. This is expressed to most striking effect in the former narthex and archives area, now reception area, where principal beams are curved to follow the building's plan; and in the double-height galleried main refectory. The interior plan of the building largely survives, the former cells used for boarding students and the workshops and community rooms used as classrooms. The two refectories remain in their original use. However, there has been some more notable alteration to the layout in the former library, now offices and sensory room; the former archives room, originally a double-height space with a bridge at first floor, now partly floored over; and in the subdivision of part of the narthex to form offices. Otherwise, the main alterations to the interior have been in the overpainting of the fair-face blockwork, the replacement of most of the planked doors and screens, and the addition of new service infrastructure and associated surface-mounted cable runs.

**KINGSLAND:** the building stands hard against the east side of the main refectory. It is a two-storey, five-bay Italianate house with a shallow hipped slate roof, deep eaves and stuccoed elevations with corner quoins and moulded window architraves. Windows and doors are C21 replacements.

Interior: features dating to the C19 include an open string stair with wreathed handrail and turned balusters, a number of panelled door architraves, splayed panelled window reveals (with missing shutters), moulded skirting boards and decorative plasterwork cornices. The plan has been notably altered, however, and much of the joinery and interior fittings modernised for its C20 and C21 uses.

**GUEST WING:** this is a single-storey pitched roof range with an L-plan adjoining the east side of Kingsland. The small guest rooms, now mainly disused, are arranged either side of a central corridor. The elevations are principally of brick, with windows and spandrels replaced in brown uPVC. At the inside corner of the L, the building's footprint cuts in to frame a small circular courtyard with a curved glazed corridor.

Interior: of painted blockwork, the main doors have diagonal planks and are probably original, albeit with new door furniture, but doors to each room are flush-panel replacements.

**SUBSIDIARY FEATURES:** to the north of Kingsland is a small outbuilding of brick and flint construction with a tiled roof of probable C19 origin. This has been converted in the C21 to an ancillary use by the school.

At the main entrance to the site is an altered single-storey brick lodge house with slate roof, originally associated with Kingsland.

## **Selected Sources**

### **Books and journals**

Williamson, E, Hudson, T, Musson, J, Nairn, I, *The Buildings of England, Sussex: West*, (2019), p. 579

'Zen - and the art of building and design' in *RIBA Journal*, (April 1982), pp. 43-46

'Convent Arc' in *Architectural Review*, Vol 169, (1 January 1981), pp. 18-25

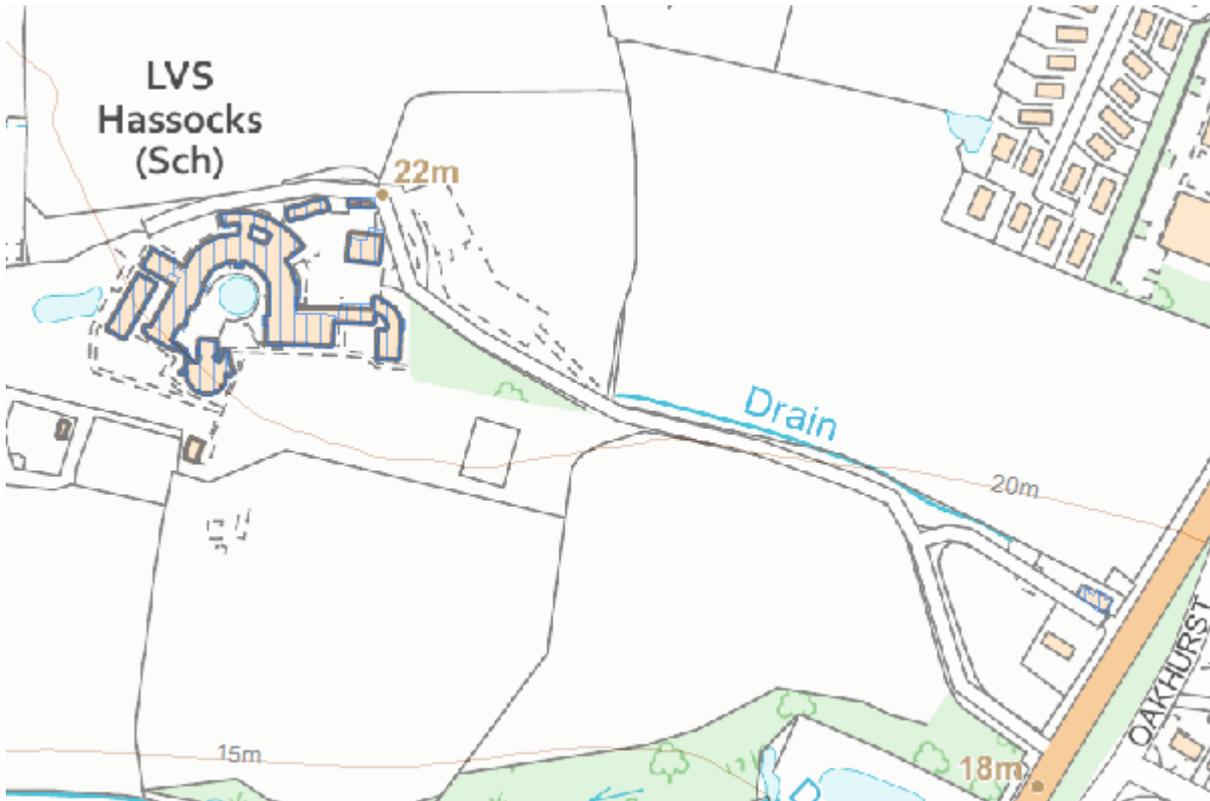
Milloy, C, 'Out Lady's Priory' in *The Arup Journal*, Vol 13, (2 June 1978), pp. 16-17

### **Websites**

Obituary of Michael Blee appearing in *The Independent*, 14 March 1996, accessed 30 April 2025 from <https://www.independent.co.uk/news/obituaries/obituary-michael-blee-1341947.html>

**Map**

**National Grid Reference:** TQ2682418636



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The above map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - 1493848\_1.pdf

## Appendix 2: Assessment Methodology

### Assessment of Significance

In the *NPPF*, heritage significance is defined as:

*“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”<sup>28</sup>*

Historic England's *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.<sup>29</sup>

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.<sup>30</sup> These essentially cover the heritage 'interests' given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.<sup>31</sup>

The *PPG* provides further information on the interests it identifies:

- **Archaeological interest:** As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **Architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.
- **Historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective

<sup>28</sup> MHCLG, *NPPF*, Annex 2.

<sup>29</sup> Historic England, *GPA:2*.

<sup>30</sup> Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These

heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see *idem* pp. 28–32.

<sup>31</sup> MHCLG, *NPPF*, Annex 2; MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

experience of a place and can symbolise wider values such as faith and cultural identity.<sup>32</sup>

Significance results from a combination of any, some, or all of the interests described above.

Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.<sup>33</sup>

Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

### Setting and Significance

As defined in the *NPPF*:

***“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”<sup>34</sup>***

Setting is defined as:

***“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”<sup>35</sup>***

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

### Assessing Change Through Alteration to Setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of *“what matters and why”*.<sup>36</sup>

In *GPA:3*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

<sup>32</sup> MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

<sup>33</sup> Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

<sup>34</sup> MHCLG, *NPPF*, Annex 2.

<sup>35</sup> MHCLG, *NPPF*, Annex 2.

<sup>36</sup> Historic England, *GPA:3*, pp. 8, 11.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

***Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.***

***Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social***

***and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”<sup>37</sup>***

When considering changes in 'setting', the Inspector in a recent Secretary of State Appeal Decision clearly set out that:

***“In cases where the impact is on the setting of a designated heritage asset, it is only the significance that asset derives from its setting that is affected. All the significance embodied in the asset itself would remain intact. In such a case, unless the asset concerned derives a major proportion of its significance from its setting, then it is very difficult to see how an impact on its setting can advance a long way along the scale towards substantial harm to significance.”<sup>38</sup> (my emphasis)***

### Levels of Significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

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<sup>37</sup> Catesby Estates Ltd. v. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

<sup>38</sup> APP/H5390/V/21/327713 [2023] – Edith Summerskill House, Clem Attlee Court, London, SW6 7TW, Paragraph 12.50 of main Decision – Core Document 7.25.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

- **Designated heritage assets of the highest significance**, as identified in paragraph 213 of the *NPPF*, comprising Grade I and II\* Listed Buildings, Grade I and II\* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 75 of the *NPPF*;<sup>39</sup>
- **Designated heritage assets of less than the highest significance**, as identified in paragraph 213 of the *NPPF*, comprising Grade II Listed Buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);<sup>40</sup> and
- **Non-designated heritage assets.** Non-designated heritage assets are defined within the *PPG* as “buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.<sup>41</sup>

Additionally, it is of course possible that sites, buildings or areas have no heritage significance, and the *PPG* clearly states that “**A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets.**”<sup>42</sup>

### Assessment of Harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the *NPPF*.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”,<sup>43</sup> and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

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<sup>39</sup> MHCLG, *NPPF*, para. 213 and fn. 75.

<sup>40</sup> MHCLG, *NPPF*, para. 213.

<sup>41</sup> MHCLG, *PPG*, paragraph 039, reference ID: 18a-039-20190723.

<sup>42</sup> *Ibid.*

<sup>43</sup> *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

With regards to these two categories, the PPG states:

***“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”<sup>44</sup>***

The broad spectrum of ‘less than substantial harm’ was reiterated within a recent Secretary of State Appeal Decision, with the Inspector recognising the following:

***“... substantial harm is set at a high bar, such that a good deal (or all) of the significance of a designated heritage asset would have to be removed for it to be reached. That means that the range for a finding of less than substantial harm is very wide indeed, from a harmful impact that is hardly material, to something just below that high bar.”<sup>45</sup>***

Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle, and upper end of the less than substantial harm spectrum/scale.

With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm

to their overall significance, using descriptors such as minor, moderate and major harm.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, “*preserving*” means doing “*no harm*”.<sup>46</sup>

Preservation does not mean no change, it specifically means no harm. GPA:2 states that “*Change to heritage assets is inevitable but it is only harmful when significance is damaged*”.<sup>47</sup> Thus, change is accepted in Historic England’s guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in GPA:3, described above. Fundamental to this methodology is a consideration of “*what matters and why*”.<sup>48</sup> Of particular relevance is the checklist given on page 13 of GPA:3.<sup>49</sup>

It should be noted that this key document also states:

***“Setting is not itself a heritage asset, nor a heritage designation...”<sup>50</sup>***

<sup>44</sup> MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

<sup>45</sup> APP/H5390/V/21/327713 [2023] – Edith Summerskill House, Clem Attlee Court, London, SW6 7TW, Paragraph 12.49 of Main Decision.

<sup>46</sup> R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

<sup>47</sup> Historic England, GPA:2, p. 9.

<sup>48</sup> Historic England, GPA:3, p. 8.

<sup>49</sup> Historic England, GPA:3, p. 13.

<sup>50</sup> Historic England, GPA:3, p. 4.

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA:3* states that:

***“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.***<sup>51</sup>

Additionally, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused. This point has been clarified in the Court of Appeal.<sup>52</sup>

### **Benefits**

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

As detailed further in **Appendix 4**, the *NPPF* (at Paragraphs 214 and 215) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.<sup>53</sup>

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 214 to 215.<sup>54</sup>

The *PPG* provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

***“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.***

***Examples of heritage benefits may include:***

- ***sustaining or enhancing the significance of a heritage asset and the contribution of its setting***
- ***reducing or removing risks to a heritage asset***
- ***securing the optimum viable use of a heritage asset in support of its long term conservation.***<sup>55</sup>

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<sup>51</sup> Historic England, *GPA 3*, p. 8.

<sup>52</sup> *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

<sup>53</sup> MHCLG, *NPPF*, paras. 214 and 215.

<sup>54</sup> Including – *Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); MHCLG, *NPPF*, paras. 214 and 216.

<sup>55</sup> MHCLG, *PPG*, paragraph 020, reference ID: 18a-020-20190723.



Any "*heritage benefits*" arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

## Appendix 3: Legislative Framework

Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and Conservation Areas.<sup>56</sup> It does not provide statutory protection for non-designated or Locally Listed heritage assets.

Section 66(1) of the Act goes on to state that:

***“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.”<sup>57</sup>***

In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case, Sullivan LJ held that:

***“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight”***

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<sup>56</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

<sup>57</sup> UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66(1).

***when the decision-maker carries out the balancing exercise.”<sup>58</sup>***

However, in considering the wording of Section 66(1) a key matter is the use of the terms ‘special regard’ and ‘desirability’. Section 66(1) does not state that where a development does not preserve or enhance a development that it must be considered contrary to legislation and should be refused. This is reiterated within the *Palmer* Court of Appeal judgement which sets out that:

***“Although the statutory duty requires special regard to be paid to the desirability of not harming the setting of a listed building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused.”<sup>59</sup>***

A judgement in the Court of Appeal (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 version of the NPPF, the requirements of which are now given in paragraph 215 of the current, revised NPPF, see **Appendix 4**), this is in keeping with the requirements of the 1990 Act.<sup>60</sup>

<sup>58</sup> *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137. para. 24.

<sup>59</sup> *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061. Paragraph 34 – Core Document 7.22.

<sup>60</sup> *Jones v Mordue* [2015] EWCA Civ 1243.



In addition to the statutory obligations set out within the *Planning (Listed Buildings and Conservations Area) Act 1990*, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.<sup>61</sup>

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<sup>61</sup> UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

## Appendix 4: National Policy Guidance

### The National Planning Policy Framework (December 2024)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in December 2024. This replaced and updated the previous *NPPF* (December 2023). The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

***"Plans and decisions should apply a presumption in favour of sustainable development.***

...

***For decision-taking this means:***

- a. approving development proposals that accord with an up-to-date development plan without delay; or***
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:***
  - i. the application policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or***

- ii. **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.**<sup>62</sup>

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

***“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”***<sup>63</sup> (our emphasis)

The NPPF continues to recognise that the planning system is planned and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in the NPPF as:

***“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”***<sup>64</sup>

The NPPF goes on to define a Designated Heritage Asset as a:

***“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”***<sup>65</sup>

As set out above, significance is also defined 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. For World Heritage Sites, the cultural value***

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<sup>62</sup> MHCLG, NPPF, para. 11.

<sup>63</sup> MHCLG, NPPF, para. 11, fn. 7.

<sup>64</sup> MHCLG, NPPF, Annex 2.

<sup>65</sup> MHCLG, NPPF, Annex 2.

**described within each site’s Statement of Outstanding Universal Value forms part of its significance.”<sup>66</sup>**

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 208 that:

**“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”<sup>67</sup>**

Paragraph 210 goes on to state that:

**“In determining planning applications, local planning authorities should take account of:**

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;**
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and**

- c. the desirability of new development making a positive contribution to local character and distinctiveness.”<sup>68</sup>**

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 212 and 213 are relevant and read as follows:

**“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.”<sup>69</sup>**

**“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**

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<sup>66</sup> MHCLG, NPPF, Annex 2.

<sup>67</sup> MHCLG, NPPF, para. 208.

<sup>68</sup> MHCLG, NPPF, para. 210.

<sup>69</sup> MHCLG, NPPF, para. 212.

***gardens, and World Heritage Sites, should be wholly exceptional.”<sup>70</sup>***

In the context of the above, it should be noted that paragraph 214 reads as follows:

***“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.”<sup>71</sup>***

Paragraph 215 goes on to state:

***“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.”<sup>72</sup>***

With regards to non-designated heritage assets, paragraph 216 of NPPF states that:

***“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”<sup>73</sup>***

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

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<sup>70</sup> MHCLG, *NPPF*, para. 213.

<sup>71</sup> MHCLG, *NPPF*, para. 214.

<sup>72</sup> MHCLG, *NPPF*, para. 215.

<sup>73</sup> MHCLG, *NPPF*, para. 216.

## December 2025 Consultation Draft

A consultation draft of a revised version of the *NPPF* was published on 16<sup>th</sup> December 2025. As this is a consultation draft and the approach advocated within it may well change through the consultation process we have not sought to comment further on it within Report. That said we note that the revisions provided within the consultation draft in regard of heritage matters, the overarching of position of which is not notably different to that set out within the current draft.

### **National Planning Practice Guidance**

The then Department for Communities and Local Government (now the Ministry of Housing, Communities & Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the *NPPF*.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of ‘significance’ in decision taking is important and states:

***“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to***

### ***understanding the potential impact and acceptability of development proposals.”<sup>74</sup>***

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the *NPPF*. It goes on to state:

***“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.***

***While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”<sup>75</sup> (our emphasis)***

<sup>74</sup> MHCLG, *PPG*, paragraph 007, reference ID: 18a-007-20190723.

<sup>75</sup> MHCLG, *PPG*, paragraph 018, reference ID: 18a-018-20190723.

## National Design Guide:

Section C2 relates to valuing heritage, local history and culture and states:

*"When determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape."<sup>76</sup>*

*"Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way."<sup>77</sup>*

It goes on to state that:

*"Well-designed places and buildings are influenced positively by:*

- *the history and heritage of the site, its surroundings and the wider area, including cultural influences;*
- *the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;*

- *the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details – see Identity.*

*Today's new developments extend the history of the context. The best of them will become valued as tomorrow's heritage, representing the architecture and placemaking of the early 21<sup>st</sup> century."<sup>78</sup>*

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<sup>76</sup> MHCLG, NDG, para. 46.

<sup>77</sup> MHCLG, NDG, para. 47.

<sup>78</sup> MHCLG, NDG, paras. 48–49.

## Appendix 5: Relevant Development Plan Policies

Applications for Planning Permission in Sayers Common are currently considered against the policy and guidance set out within the Mid Sussex District Plan 2014–2031 (adopted March 2018) and Hurstpierpoint & Sayers Common Neighbourhood Plan (adopted March 2015).

### Mid Sussex District Plan 2014–2031, adopted March 2018

#### DP34: Listed Buildings and Other Heritage Assets

*“Strategic Objectives: 2) To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 11) To support and enhance the attractiveness of Mid Sussex as a visitor destination.*

*Evidence Base: West Sussex Historic Environment Record; Register of Listed Buildings.*

#### *Listed Buildings*

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

- 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;*

- 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;*

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

- 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;*

- Special regard is given to protecting the setting of a listed building;*

- 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.*

#### *Other Heritage Assets*

*Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.*



*The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.*

*Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance."*



## Appendix 6: Arup Journal Article

# Our Lady's Priory

Charles Milloy

## Background

The Priory of Our Lady of Good Counsel belongs, rather surprisingly, to a monastic order stemming from the English Convent in Bruges, Belgium. As a result of the Reformation, English girls were prevented from becoming nuns and, in 1609, a group of English women went to Belgium and founded a monastery in Louvain. In 1629, they founded another House in Bruges. In 1886 another branch of the order was established, back in England at last, at Haywards Heath. It is an order primarily orientated to a monastic life and, in the past, to education. At Haywards Heath the sisters purchased a large manor house on the outskirts of what was then a small Sussex village. They opened a school which functioned until 1972.

During the 20th century Haywards Heath expanded, surrounded the Priory, and various other factors led to the need for a change of role and location, so when the sisters were offered a good price for their existing premises, the means to make the change became available. After prolonged searching, a large country house called Kingsland, near the village of Sayers Common was bought.

Surrounded by a few acres of secluded farmland, it is set back from the main London-Brighton trunk road. Near the house is an artificial pond in the old garden. The lay-out of the new priory is based upon the existing house and the pond, starting off as an extension of the former and then curving round the latter and back to the house to complete the full circle.

With their new building the life of the community will change. Instead of teaching, the sisters provide conference centre facilities for groups of different types, nationalities and religions which help to finance the day-to-day running of the community. To accommodate the visitors, part of the project is a guest wing to be built to the east of Kingsland.

## Building concept

The new buildings are made up of three distinct sections, the monastic arc, the church and the guest wing. The monastic arc is designed to preserve the secluded life of the Community, being divided into private areas for the sisters' exclusive use and communal areas shared by both religious and secular users. The Narthex, where both worlds meet and can communicate freely, is reached directly from the main entrance. This is the main hall with high ceilings and wide spans where the structure of substantial laminated timber beams and timber cruciform-shaped columns form the basis of the architecture and immediately impress upon the visitor the religious nature of the building. The entire building is designed with all roof pitches, sloping structure, etc., at 40 degrees to the horizontal.

The Narthex continues onto a balcony overlooking the secular refectory where the secular guests will eat and converse. From the refectory there is access by means of a covered walkway to the church.

The area used by the nuns lies to the right of the main entrance, the only part of this section which is shared with the secular users being the library. This area is composed of living quarters built in a cellular structure with the offices and infirmary arranged to fit into the main grid system. Silence is preserved in the dormitory cell area apart from essential communications. Separating the blocks are

staircases areas which are intended to be less formal and where more spontaneous conversation is allowed. At these locations on the ground floor are situated small alcoves with seats for the purpose of reading and contemplation.

On the ground floor at the entrance to the dormitory cell block is the infirmary. The external cloisters deliberately encircle the cells to provide a silent mantle around the dormitory area.

The architects, Michael Blee Whittaker Partnership, spent considerable time identifying the primary functions of the community's life and as accurately as possible, have attempted to embody these themes into the building lay-out. To assist the planning, a questionnaire was filled in by the sisters in which they were able to state their requirements for the new building.

The architectural themes are:

- (1) The breaking of bread – the refectory
- (2) Prayer and worship – the church
- (3) Community life – the community room where the sisters can live as a family.

The architects' aim has been to create an atmosphere which complements the philosophy of the order so that simplicity and austerity are maintained and encouraged, without detracting from the quality of the building. The community participates in the world outside and so the building must be outward looking, whilst at the same time being a refuge and maintaining privacy for the occupants.

The architecture, structure and services are coordinated to give an insight into the building's composition and only the more unsightly elements of the services have been covered up.

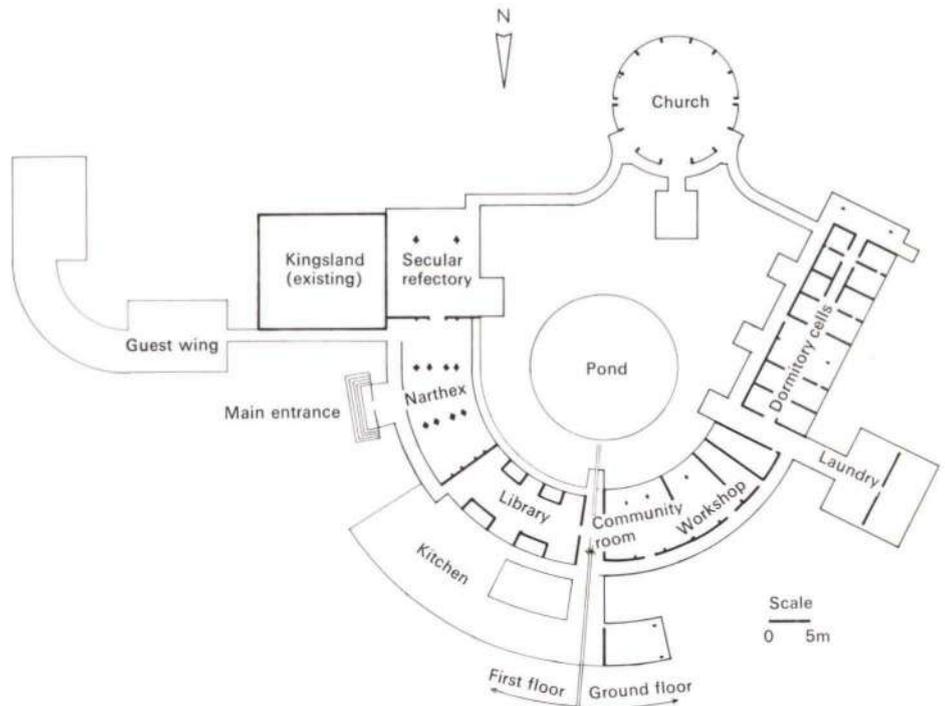


Fig. 1 Our Lady's Priory: plan

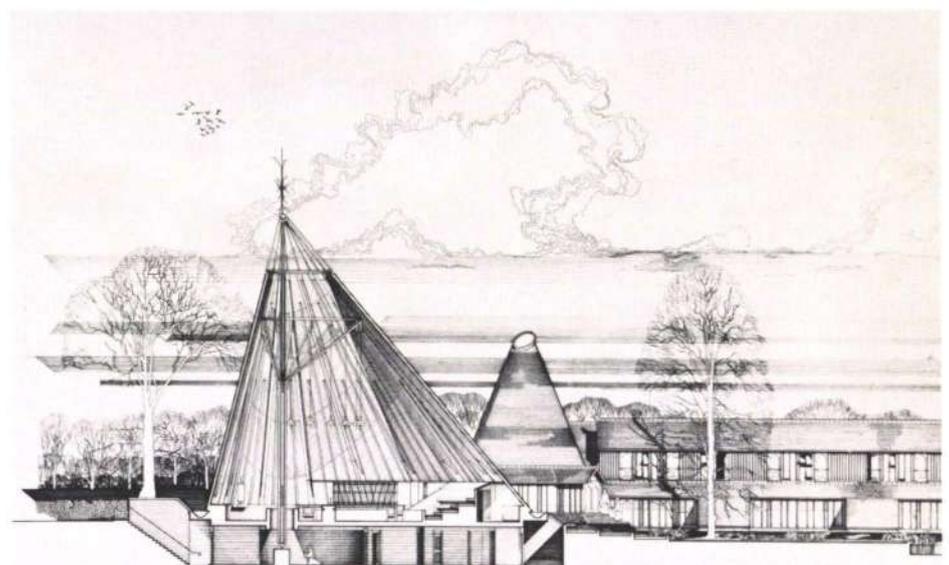


Fig. 2 Architects' drawing (Courtesy of Michael Blee Whittaker Partnership)

**Fig. 3**  
The fairfaced blockwork in the interior  
(Photo: Harry Sowden)



**Fig. 4**  
Detail of blockwork (Photo: Harry Sowden)

### Geotechnics

The site investigation revealed a thick stratum of weald clay which is highly weathered near the surface, with the water table approximately 2m below the latter. The crosswall construction logically led to strip footings at a depth of 1.5 m, at an allowable bearing pressure of 150 kN/m<sup>2</sup>.

### The superstructure

In keeping with the architectural concept it was decided to use fair-faced concrete blocks to form the main load-bearing walls, two storeys in height, and the final type chosen was an etched *Forticrete* block. To maintain the uninterrupted perimeter cloisters, fair-faced concrete corbels cantilever out from the ends of the crosswalls. Where the room lay-out did not permit the crosswall, this was replaced by a concrete column on grid and the corbel extended into a beam. The first floor slab is a conventional concrete slab with the fair-faced walls continuing up above it to support the roof.

The roof support system is almost completely exposed. Main, glued, laminated beams span between the crosswalls, with occasional vertical posts and sloping members giving stability and equalizing the load between the four main beams. This system enables all the beams to be of equal depth and fortunately the spans were such that the beam depths could be kept at a block height without producing unsightly beam widths. The torsional problems of beams curved in plan was solved by marginally increasing the beam width in the curved plan areas.

Most of the spans are approximately 3 m but these are increased in the open Narthex and the refectory. The solution here was to provide cruciform timber columns and larger beams propped by timber struts from the columns.

### Church

The drawing of the original scheme shows the skew conoid church and the two smaller conoids of the chapter house and the oratory. The church solution was an ingenious system of main laminated ribs stabilized by four skins of tongue and groove boarding laid in alternate directions to provide adequate shear stiffness. Regrettably, this solution had to be abandoned on cost grounds and, although several attempts were made to devise steel/timber composite structures capable of achieving the shape needed for liturgical functions, none satisfied the financial restraints. A much simplified straight conoid was found to be the only economic solution. The final solution was to keep the timber ribs but replace the stressed skin with horizontal purlins framing into the ribs to provide the stiffness. Tapered timbers attached to the purlins create a circular exterior from the multi-faceted interior.

### Services

The building is not air-conditioned nor mechanically ventilated. There is a central boiler house containing two oil-fired boilers for the central heating and hot water. Most of the trunking is accommodated in the in the false ceiling, passing from there down through the voids in the *Forticrete* block walls to serve the ground and first floor rooms. The blocks were carefully cut to take the junction boxes.



**Fig. 5**  
The curved laminated timber beams in the library (Photo: Harry Sowden)



**Fig. 6**  
The Priory from the Church (Photo: Harry Sowden)

**Fig. 7**  
The Priory from the new cemetery (Photo: Harry Sowden)



### Progress

The structure of the monastic arc and the guest wing were completed this winter and the services installation and the finishing trades are under way. The final problems of the church design have now been overcome and its construction will start this summer.

### Credits

**Architect:**  
Michael Blee Whittaker Partnership  
**Mechanical & electrical engineers:**  
Hamdon Electrical Ltd.  
**Main contractor:**  
W. C. Hilton and Sons



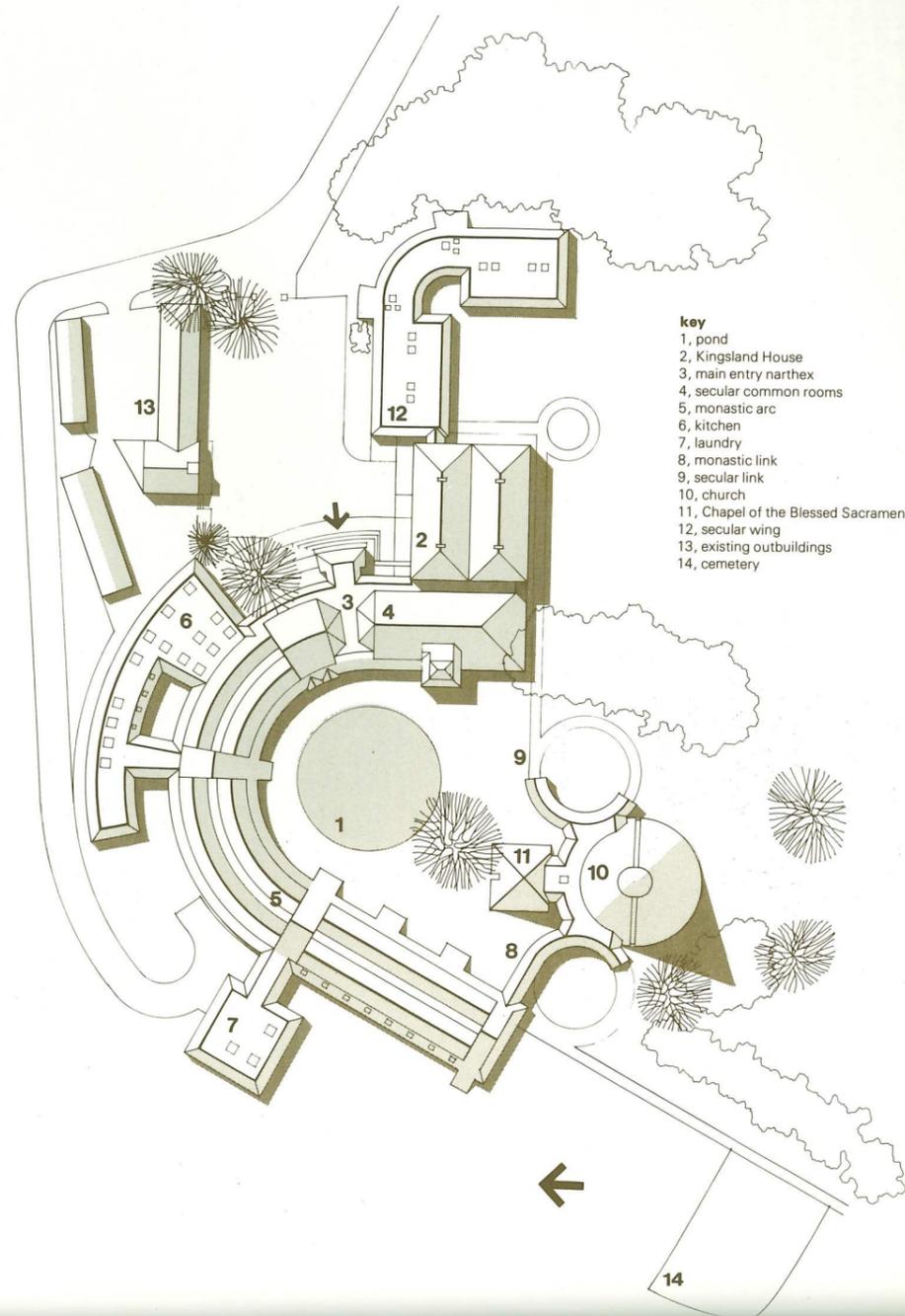
## Appendix 7: Architectural Review Journal Article

# CONVENT ARC

**OUR LADY'S PRIORY, SAYERS COMMON, SUSSEX**

**ARCHITECTS: MICHAEL BLEE WHITTAKER PARTNERSHIP**

1, 2, the cloister circles round the pool in a mixture of stock bricks and machine-made tiles. Timber is all stained except the opening lights which are picked out in white.



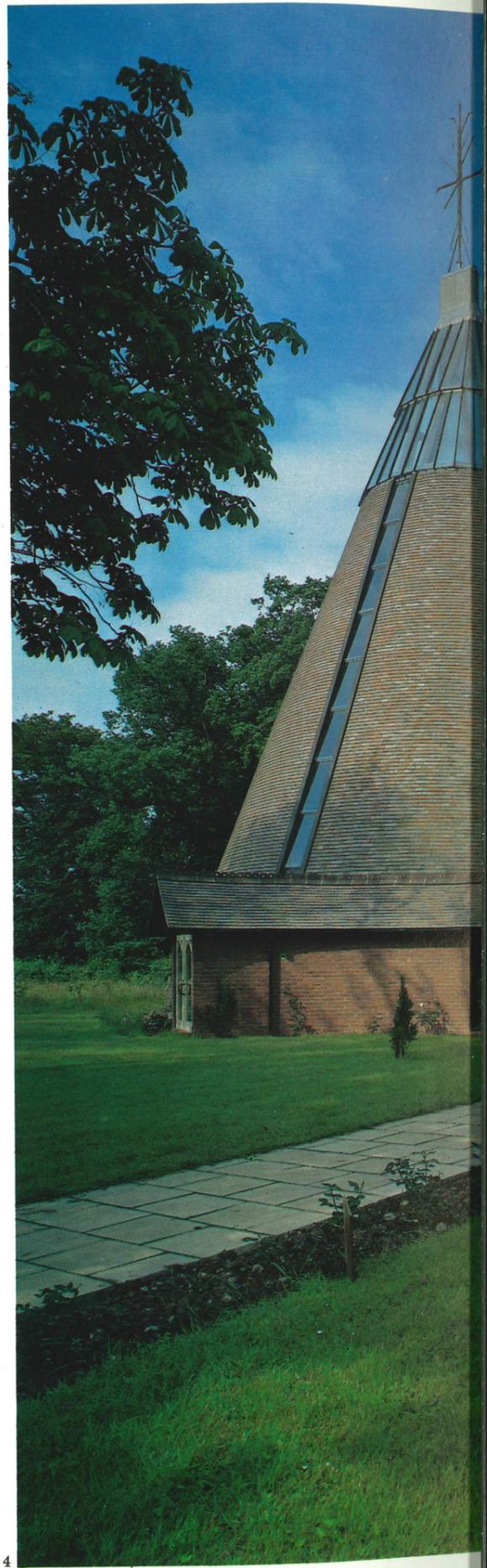
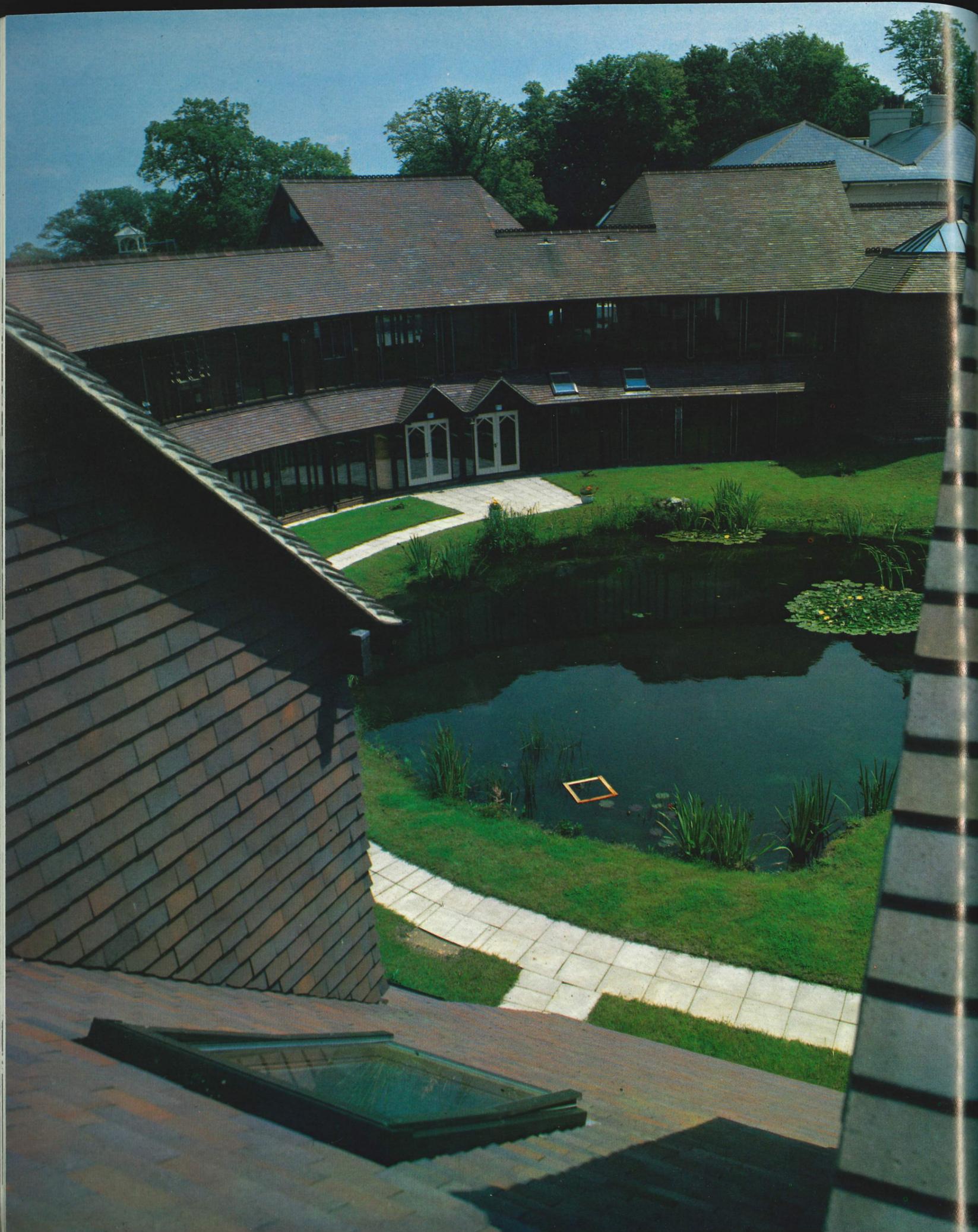
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OUR LADY'S PRIORY, SAYERS COMMON, SUSSEX

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