



Appeal Decisions

Site visit made on 25 November 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th January 2026

Appeal A: APP/D3830/D/25/3372065

Burtenshaws, Church Platt, Cuckfield, West Sussex RH17 5LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Giles Darling against the decision of Mid Sussex District Council.
 - The application reference is DM/25/1079.
 - The development proposed is described as 'replace existing wooden windows with like-for-like uPVC windows.'
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Appeal B: APP/D3830/D/25/3372120

Burtenshaws, Church Platt, Cuckfield, West Sussex RH17 5LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Giles Darling against the decision of Mid Sussex District Council.
 - The application reference is DM/25/1141.
 - The development proposed is described as 'apply uPVC covering to existing soffit, fascia, bargeboards and cladding to ground floor and first floor rooflines, and replace old gutters and gutter downpipes with new, like-for-like.'
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As the appeal site lies within a conservation area and forms part of the setting of nearby listed buildings, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the host building and the Cuckfield Conservation Area, and the setting of nearby listed buildings.

Reasons

5. Burtenshaws is a two storey, attached dwelling, which dates back to the 1970s. It is constructed of brick and has a tiled roof. The building features timber casement windows and timber soffits, fascias, bargeboards and cladding, which are painted white. The building is located adjacent to a road that leads to the centre of the

village. The rear elevation is also prominent from a road, which leads to the Church.

6. The appeal site lies within the Cuckfield Conservation Area (CA), albeit towards the edge. The CA is centred around the Church and contains a multitude of high quality historic buildings. The significance of the CA, insofar as is relevant to these appeals derives from the high quality architecture within it and the presence of traditional materials, which signify the village's evolution as a historic market place. The appeal property is highly prominent from historic routes that lead into the village and towards the Church. While the road leading to the Church includes areas of car parking and servicing, the narrowness of this road, presence of historic buildings and use of traditional materials all contribute to the significance of the CA.
7. The appeal site is located a short distance away from the Parish Church of Holy Trinity, which is a Grade I listed building (Ref: 1191625). The Church dates back to the mid-13th century and was built on the foundations of a 12th century church. The Church has been altered and extended over the centuries. It is built of sandstone and has a Horsham stone slab roof. The Church's special interest and significance insofar as is relevant to these appeals are mainly derived from its historic and architectural interest as an illustration of a 13th century ecclesiastical building. Important contributors in these regards are its surviving historic fabric, use of traditional materials and its prominent spire. The 'lychgate, wall and 4 gate piers to north west of Church' (Ref: 1025518) and a number of tombstones within the graveyard are also listed (Grade II).
8. Pertinent to these appeals, the Church's significance is also derived, in part, from its setting. Its immediate setting, comprising its enclosed graveyard, has direct physical, visual, functional and historic links with the asset. This tranquil space contributes considerably to how the Church is experienced and its significance. The Church's wider setting, including the surrounding historic environment and built form (in which the appeal site forms part) contribute in a meaningful and positive way to its significance and reinforces its high status as a Grade I listed building of exceptional interest.
9. A short distance away from the appeal property is Ye White Hart Inn (Ref: 1025496). The Inn is a timber-framed, Grade II listed building, which dates back to the 17th century. This listed building has been re-fronted and a further bay was added towards the end of the 19th century. It has an irregular pattern of fenestration and features both traditional sash and casement windows. Based on my site visit and the evidence before me, I find that the listed building's special interest insofar as is relevant to these appeals is derived from its historic and architectural interest, as an illustration of 17th century architecture. The building's surviving historic fabric, use of traditional materials and the historic setting in which it is sited make important contributions in these regards.
10. Chantry Cottage lies at the end of the terrace in which the appeal property is sited. It is a Grade II listed building, which dates back to the early to mid-19th century, but was altered in the 20th century. It is two storeys high and has two parallel ranges. The building is constructed of red brick. The front elevation has a pebble dashed finish. The building features traditional, diamond pane leaded light windows. The special interest of this listed building, insofar as is relevant to these appeals derives from its historic and architectural interest as an illustration of 19th century, domestic architecture. The building's pleasing architectural design, surviving historic fabric,

presence of traditional fenestration and the surrounding historic environment contribute towards its special interest.

11. Although the appeal property is read as a modern addition to the CA, its form and use of traditional materials means that it is sympathetic to the character and appearance of the CA and the setting of nearby listed buildings.
12. The proposal seeks to replace the existing, single glazed windows with double glazed, UPVC windows. Although the appellant advises that the proposed windows would be replaced 'like for like', they would utilise a different material and feature double glazing. UPVC typically has a shinier and more uniformed finish than timber and therefore has a materially different visual impact. Double glazing also tends to have a chunkier appearance when compared to single glazing. While 'Georgian' glazing bars are proposed, there is limited information before me on the thickness of the double glazing and the frames and the design and style of the glazing bars, in order for a full assessment to be made. This highlights the deficiencies in the information submitted for Appeal A.
13. The proposal also seeks to apply UPVC coverings to the existing soffits, fascia, bargeboards and cladding to ground floor and first floor rooflines. As set out above, UPVC typically has a shinier and more uniformed finish than timber. Consequently, I find that the use of UPVC would fail to appear authentic and would harm the character and appearance of the host building and the CA. The appeal schemes would also harmfully erode the setting of the nearby listed buildings, including the Church, Ye White Hart Inn and Chantry Cottage. This harm would be accentuated by virtue of the prominence of the building within the public realm.
14. I observed on my site visit that some of the existing woodwork on the dwelling is in need of maintenance. However, there is no condition survey before me or any substantive evidence to demonstrate why the existing windows and other woodwork cannot be repaired and repainted.
15. The Council raises no objection to the replacement of the gutters and downpipes. Based on my site visit and the information before me, I find no reason to reach a contrary conclusion to the Council on this part of the scheme and consider that it would preserve the character and appearance of the CA and the setting of the listed buildings.
16. While the appellant argues that less visible parts of the building may be suitable for the installation of UPVC, there are no alternative schemes before me to consider. I also observed that both side gables are visible from the public realm, where the presence of UPVC would appear out of keeping within this historic environment.
17. I also observed on my site visit that UPVC was present on dwellings along Courtmead Road, which falls within the CA. However, the dwellings on this road date back to the 20th century and the character is completely different when compared to the historic core of the village. While full details of the circumstances of these cases are not before me, given the change in context, I find that these examples are not comparable.
18. The appellant has drawn my attention to other buildings in the locality that feature UPVC, including the adjacent property at Chainwalk House and Dundas Cottage. However, full details of the circumstances of the other cases are not before me and I therefore give them limited weight in my decision. Nevertheless, where UPVC is

present, it is clearly distinguishable from more traditional materials due to its shinier and more uniform finish, particularly when compared to timber. The presence of UPVC in the locality already demonstrates the harm that can be caused to the CA and the setting of listed buildings by such development.

19. The appellant advises that UPVC is present on The Dairy, which is a short distance away from the appeal site. However, The Dairy lies outside of the CA and its context is therefore materially different.
20. Overall, I find that the appeal proposals would result in a modern intrusion into the CA, which would harmfully discord with the traditional and historic environment. Consequently, the appeal schemes would fail to preserve the character and appearance of the CA, which derives much of its significance from the presence of buildings that feature traditional architectural detailing and materials. The use of unsympathetic materials would also fail to preserve the setting of the Church, Ye White Hart Inn and Chantry Cottage. The proposal would harmfully diminish the contribution that the setting makes to the significance of the nearby listed buildings and how these assets are experienced.
21. I find the harm to the character and appearance of the CA and the setting of nearby listed buildings to be 'less than substantial' and at the lower end of the scale. However, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the appeal scheme.
22. The proposal would result in investment into the property, which would result in a small economic benefit, which I give limited weight in my decision as a public benefit. The appellant argues that the new windows would be more environmentally friendly, improve the thermal efficiency of the building and would reduce energy costs. Any improvements to the building's thermal insulation and in respect to energy efficiency have not been quantified. Given that the proposal relates to a single property, any environmental benefits which would flow to the public at large are likely to be minimal.
23. The appellant argues that the cost of providing timber replacement windows would be unaffordable and that the existing windows are beyond repair. In the absence of detailed evidence on the condition of the existing windows and the extent of repair work needed, I am not persuaded that replacement UPVC windows are the only solution. Furthermore, the initial cost is not the only factor and well maintained, hardwood timber windows can significantly outlast UPVC windows.
24. I appreciate that the woodwork needs regular cleaning and maintenance due to its location adjacent to a road. The appellant argues that UPVC would provide longer term protection and be easier to clean. The appellant states that there are health, safety and access issues in respect to maintaining and cleaning the woodwork due to the proximity of the building to the road and the need to enter third party land to erect scaffolding. However, there is no compelling evidence before me why the woodwork cannot be maintained as it has been done so historically.
25. The appellant contends that dismissal of the appeal schemes would infringe their Human Rights under Articles 1 and 8 of the First Protocol of the Human Rights Act 1998 due to the impact on their finances and quality of life. The appellant argues that the windows are warped, which prevents them from opening properly and

restricts their access to fresh air. However, as set out above, there is no condition survey before me or compelling evidence to demonstrate that the windows and woodwork could not be repaired or that the appeal schemes represent the only solution. The appellant's Human Rights are engaged in reaching my decisions. However, these are qualified rights and interference may be justified where in the public interest.

26. The appellant considers that the appeal schemes would enhance the character and appearance of the CA and the setting of the listed building, through replacement of tatty woodwork. However, for the reasons set out above, I find that the proposals would fail to preserve the character and appearance of the CA and the setting of nearby listed buildings. As a result, I do not find this to be a public benefit.
27. Overall, there would be limited public benefits from the appeal schemes. Consequently, in attributing considerable importance and weight to the identified harm to the significance of the designated heritage assets, I find that there would be insufficient public benefits arising from the proposal to outweigh this harm.
28. Given the above, I conclude that, on balance, the appeal schemes would fail to preserve the character or appearance of the CA and the setting of nearby listed buildings. The appeal schemes would fail to satisfy the requirements of the Act and the historic environment policies of the Framework. Accordingly, the proposals would conflict with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 – 2031, adopted March 2018. These policies among other things seek to conserve or enhance the special character and appearance of the CA and protect listed buildings and their settings, by among other things ensuring that traditional building materials and construction techniques are normally used.
29. In this case, I find that the public interest in preserving the historic environment is considered a proportionate and lawful interference with the appellant's Human Rights.

Other Matters

30. I acknowledge that the Parish Council raises no objections to the appeal schemes. However, this does not alter my findings set out above.

Conclusion

31. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that it is proportionate and necessary to dismiss both appeals.

A James

INSPECTOR