PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 18th November 2025

DEVELOPMENT: Proposed alterations and extension to The Old House to facilitate a change of use from Class C3 to C1.

SITE: Old House, Tismans Common, Rudgwick, Horsham, RH12 3BW.

WARD: Rudgwick

APPLICATION: DC/24/1856

APPLICANT: **Name:** AJW Hospitality Ltd **Address:** Please Refer To Agent, Coles Yard Barn, North Lane, Clanfield, Hampshire, PO8 0RN

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To approve Listed Building Consent subject to appropriate conditions.

1. **THE PURPOSE OF THIS REPORT**

1.1. To consider the application.

DESCRIPTION OF THE APPLICATION

1.2. The application seeks Listed Building Consent for proposed works to the Grade II listed The Old House to facilitate its conversion from a dwelling into hotel accommodation, in association with development proposals at the adjacent 'Mucky Duck' public house. The public house development proposals are considered separately under planning application DC/24/1855.

1.3. The works specific to The Old House building itself, the subject of this application for Listed Building Consent, include:

- A rear single storey extension and internal alterations to provide overnight accommodation (6 hotel rooms and suites), including nine changes to the existing partitions and doors and the insertion/blocking of new partitions and doors.
- Works to cellar/basement including removal of rotten floor joists.
- Replacement fenestrations.

- Replacement of existing rooftiles to match existing, where necessary.
- Repainting existing brickwork to match existing.

DESCRIPTION OF THE SITE

1.4. The Old House is a Grade II listed dwelling located on the east side of Hornshill Lane in Tismans Common, near Rudgwick. The property is two storeys in height comprised of two linked hipped roofs with a valley between. A more modern detached garage sits to the north side, with a small single storey extension at the rear.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 Planning (Listed Buildings and Conservation Areas) Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):
Policy 34 - Cultural and Heritage Assets

Rudgwick Neighbourhood Plan (2021):
RNP6 Materials
RNP7 Architectural Style
RNP8 Development Height
RNP9 Streetscene

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 21: Heritage Assets and Managing Change within the Historic Environment

Rudgwick Parish Design Statement

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/24/1855	Proposed redevelopment and change of use of the former public house and outbuildings The Mucky Duck (sui generis Use Class), and the adjacent residential property The Old House (Class C3), to a boutique hotel (Class C1), restaurant and bar (Class E (b) (FULL).	Concurrent application under consideration

3. OUTCOME OF CONSULTATIONS

3.1. Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

3.2. **HDC Conservation Officer:** No Objection

Final Comment
Satisfied revised plans acceptable. Impact to special interest of listed building acceptable on balance.

Subsequent Comment
Satisfied additional information relating to car ports can be requested through condition.

Initial Comment
Supportive of principle of creating unique selling points for rural pubs so they remain financially viable. Alternative is they are closed and converted to dwellings which is a pattern that has become common. Supportive of ideas to ensure rural pubs remain a valued local resource and facility.

Proposal is courageous but this level of architectural embellishment and creativity is required to ensure the pub becomes a destination and somewhere people will be motivated to travel. Number of potential customers in immediate vicinity is not enough to ensure continued viability of the business. Although extensions design do not reflect traditional buildings found in this rural location and contrasting architectural style will be perceived as incongruous, satisfied impact of the alteration and extension of the pub within the setting of the listed building will not be harmful. Although the pub can be considered a non-designated heritage asset, it is not so significant that the proposed alterations and extensions will result in harm to its local interest.

Accompanying heritage statement describes history of Old House. This had been a public house until the present pub. Current proposal seeks to draw on this historic relationship and open up the boundaries between the historic pub and the listed building. Satisfied this is acceptable in principle and will allow a greater visual appreciation of the listed building. Proposed extension to replace the conservatory is not of a design that is particularly supportive, but in this case the rationale is understood and willing to accept the principle. Proposed internal works to the listed building will reverse some harmful alterations undertaken in more recent past. The heritage statement describes the impact of these in relation to the historic phases of the dwelling and concludes that together with the new extension will result in less than substantial harm at the lower end of the scale.

On balance, willing to accept the harm is acceptable in order to support the business and maintain the vibrancy and tradition that this rural public house will provide. Change of use of the dwelling to hotel accommodation is reversible and is agreeable in principle.

Part of scheme most cautious about is use of part of garden of Old House for formal car parking area. However, satisfied proposed layout is acceptable. Confident benefits of better revealing the listed building and enhancing its setting can be achieved and providing a level of car parking space to support the business.

Representations:

3.3. 23 Objection letters received, 21 letters of which are from 13 addresses within the district, on the following grounds:

- Loss of a dwelling in a housing crisis. Will be used for AJW group rather than community. The Old House would be for AJW own guests and employees only. No positive value to community. No clear capacity for the proposal.
- Overdevelopment. Poor design and unsympathetic. Would not meet design guidelines. Detrimental impact on character and appearance of Old House listed building. Will remove ancient trees and destruction/detrimental impact on garden and curtilage. Detriment to dark sky through light pollution.

- No need for new access. Visibility beyond applicant's control. Transport statement incorrect. Underestimates expected vehicle movements. Appendix B missing and only 36 parking spaces shown. Contamination report shows more. Verge parking and dangers not considered. Emergency vehicle and bin lorry access blocked.

- Detrimental on neighbour's general amenity, privacy, light and will cause noise. Noise Impact Assessment does not consider impact on neighbouring properties. Will not be complied with. Kitchen will cause smells. Will cause pollution.
- Reduction in ecology and habitats. Does not meet 10% BNG gain. BNG information shows a hedge not wall. Calculations incorrect. Bat survey out of date. Impact of wall on root protection zones of trees.
- No information on deed of easement for drainage. Agreements should be made. Not water neutral. Primary school use not detailed.

3.4. 7 letters for Support received from 5 addresses within the district, on the following grounds:

- Proposal has community value.
- Sympathetically designed.
- A footpath should be installed.
- Would create job opportunities and benefit economy.
- Beneficial to have local pub.
- Would prevent buildings from becoming derelict.
- Preferred over housing development.
- Improves existing buildings and their uses.

3.5. 3 letters received from within the district neither supporting nor objecting, from 2 addresses raising the following:

- Inadequate parking.
- Copper clad block out of keeping with setting and out of place. Visible from footpaths and bridleways.
- Conditions be used to impose restrictions on noise.

3.6. **Rudgwick Parish Council**: Comment
Note change of description in respect of The Old House. Maintain original submission insofar as it applies to The Old House.

3.7. Previous comment:
Support retention of hospitality aspects and in favour of sympathetic development of the site and resulting welcome benefits to the local economy from provision of accommodation, dining and other facilities for visitors. However, objection to currently submitted proposal as it has shortcomings, raising queries and issues as follows:

- Architectural design, materials and effect on rural street scene and character (RNP Policies 6,7 &9, HDPF Policies 25.1, 26, 32,33,34)
- Parking and traffic.
- Lighting.
- Noise.
- Waste Treatment and Drainage.
- Fire escape provision in Mucky Duck Building.

3.8. Member Comments:
None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1. The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of

property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2. The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1. It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENT

Principle:

6.1. S.66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have special regard to preserving the listed building or its setting. This statutory duty is reflected in the requirements of Chapter 16 of the National Planning Policy Framework (NPPF 2024).

6.2. The NPPF at paragraph 204 instructs decision-makers that "when considering the impact of 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)." It continues to instruct at paragraph 212 that "any harm to, or loss of, the significance of a designated heritage asset (from its alterations or destruction, or for of development within its setting), should require clear and convincing justification."

6.3. HDPF Policy 34 states the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets, stating that development affecting the setting of a listed building will not be permitted if it has an adverse impact on the setting, special architectural character or appearance of a listed building.

6.4. At paragraph 215, the NPPF instructs decision-makers that 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.

6.5. The Council's Conservation Officer is agreeable to the proposed conversion works in principle, having confirmed the change of use of the building from a dwelling to a boutique hotel (C1) is reversible (carrying out alterations in a way that can be undone with minimal or no permanent damage to the historic fabric). Beyond this, the principle of conversion is addressed in the linked Full Planning Application DC/24/1855 for the wider site and does not form part of the consideration of this application for Listed Building Consent, which is confined to the works to The Old House only.

6.6. The comments received from Rudgwick Parish Council on the design policies in the Rudgwick Neighbourhood Plan (RNP) policies are noted. However, as the RNP acknowledges, these policies serve as guidance based on the Parish Design Statement (para 6.1 of the RNP) and, as the preceding policy background sets out, there is a separate legislative framework for development specific to heritage assets, and in decision-making

on such development, advice should be taken from the district council and/or specialist organisations with experience of the development of such buildings. For decision-making related to the historic environment, significant regard should be given to this advice.

Significance of the Heritage Asset

6.7 The District Council's Conservation Officer does not dispute the assessment of significance of The Old House in the heritage statement submitted in support of the application. This accurately describes the history of the Old House, a seventeenth century timber framed dwelling. This had been a public house serving the agricultural labourers and drovers until the late nineteenth century when the present pub (the 'Mucky Duck') was built as a larger establishment.

The proposal

6.8 The Council's Conservation Officer is satisfied with the approach to the wider site development proposals, to draw on the historic relationship between the 'Mucky Duck' historic pub and The Old House listed building by opening up the boundaries between the two buildings and so allow a greater visual appreciation of the listed building.

6.9 It is acknowledged by the district Conservation Officer that the design of the extensions to the Mucky Duck public house do not reflect traditional buildings and the contrasting architectural style will be perceived as incongruous, but in his qualified view, the impacts and alterations to the Mucky Duck public house and the wider site layout (including the car park) are acceptable, and would not be harmful to the setting of The Old House listed building.

6.10 The Council's Conservation Officer confirms the internal changes to The Old House would reverse some harmful alterations undertaken in more recent past, and that the rationale and principle of its extension is acceptable (although not a particularly supportive design). The heritage statement describes the impact of the internal changes in relation to the historic phases of the dwelling and concludes that together with the new extension, will result in less than substantial harm at the lower end of the scale. The District Conservation Officer does not dispute these conclusions.

Impact

6.11 The proposals are therefore considered to have beneficial impact on the setting significance of this Listed Building (The Old House) and result in less than substantial harm at the lower end of the scale.

Other Matters:

6.12 Matters of amenity; flooding and drainage; ecology and habitats; light pollution; transport, highways and access; trees are outside the scope of Listed Building Consent; these are considerations for the linked planning application (DC/24/1855).

Conclusions:

6.13 Officers have assessed both the significant of the heritage asst and the impact of the proposed alternations on that significance and have concluded that less than substantial harm would be caused to the significance of the heritage asset, The Old House.

6.14 As reported, the Council's Conservation Officer is willing to accept that the harm is acceptable in order to support the business and maintain the vibrancy and tradition that the rural public house on the wider site will provide. In his own words, the proposal is courageous but this level of architectural embellishment and creativity is required to ensure

the pub becomes a destination and somewhere people will be motivated to travel. Potential customers in the immediate vicinity are not enough to ensure continued viability of the business.

6.15 In accordance with paragraph 215 of the NPPF and Policy 34 of the HDPF, your planning Officers judge the public benefits afforded through the continued/enhanced use of The Old House building for its optimum value use in support of economic development at the site in its use as planning use C1 accommodation, in association with the development applied for under linked planning application (DC/24/1855), to maintain the vibrancy and tradition of the rural public house, sufficient to outweigh the lower end of less than substantial harm identified.

6.16 Your Officers therefore recommend granting listed building consent subject to the recommended conditions below.

7. RECOMMENDATIONS

7.1 To approve Listed Building Consent subject to the following conditions:

Conditions:

1 Approved Plans list

2 **Standard Time Condition**: The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3 **Pre-Commencement Condition**: Before any work begins on site, the person(s) responsible for supervising the works must meet the conservation officer of the Local Planning Authority, on site or as otherwise agreed, to confirm that all the conditions attached to the listed building consent are understood and can be fully complied with.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:

a) Drawings to a scale not smaller than 1:5 fully describing the roof details of the new extension including sections through:
   - flat roof perimeters
   - parapets
b) Drawings to a scale not smaller than 1:20 showing internal drainage routes, noting all necessary cutting, chasing and other alteration to historic fabric.
c) Samples or specifications of external materials and surface finishes.
d) Schedule and annotated plan showing the full extent of alteration work to the existing windows.

e) Specification and/or drawings fully describing method of incorporating thermal, fire and sound insulation, describing the affect on the appearance and fabric of historic and architectural features.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The roof lights on the north east roof slope shall be replaced with items metal framed and sitting flush with the roof slope.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: No new plumbing, pipes, soil stacks, flues, vents, ductwork or the like, shall be fixed to any external face of the building other than as shown on the drawings hereby approved.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: No new grilles, security alarms, lighting, cameras or other like items shall be fixed to any external face of the building other than as shown on the drawings hereby approved.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: All new partitions shall be scribed around historic structure and finishes.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

Background Papers: DC/24/1856