

DELEGATED FILE NOTE

CASE OFFICER: ...Mark Simmons.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02757/LDCLB	Installation of external kitchen extractor fan to south-west elevation.	Far End Maiden Street Weston Hitchin Hertfordshire SG4 7DL

Submitted Plan Nos

Location Plan 001

HE1 Designated heritage assets

SECN16 Conserve + enhance historic environment

2.0 **Relevant History**

2.1 The planning history for this site is provided below (excl. TCAs and GENs).

- ☐ **20/02932/LDCLB** - Low level balanced flue to be added to gable end servicing a new boiler in the kitchen.
GTD 16.02.2021
- ☐ **95/00455/1LB** – Retention of doorway to facilitate new toilet cloakroom at first floor level.
CON 15.06.1995

3.0 **Legislation**

3.1 Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Sections 16 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as supported by the aims of the NPPF.

4.0 **Representations**

4.1 No consultation required.

5.0 **Planning Considerations**

5.1 **Site & Surroundings**

5.1.1 Far End, Maiden Street, Weston is grade II listed and located within the Weston Conservation Area. The building and the area are Designated Heritage Assets for the purpose of applying the aims of Section 16 of the NPPF. The list entry reads as follows:

<https://historicengland.org.uk/listing/the-list/list-entry/1175669?section=official-list-entry>

5.2 **Proposal**

5.2.1 The description reads as follows: ***Installation of external kitchen extractor fan to south-west elevation.***

5.3 Key Issues

- 5.3.1 The key issue for consideration here is whether the works constitute alterations affecting the building's special character, in which case, an application for listed building consent is required or, whether the works are considered lawful within the meaning of Section 26H(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in which case, a Certificate of Lawfulness of Proposed Works can be granted.
- 5.3.2 Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") provides that anyone who wishes to ascertain whether proposed works for the alteration or extension of a listed building would be lawful (i.e. that the works would not affect the character of the listed building as a building of special architectural or historic interest) may make an application to the local planning authority, describing the works, in order to receive a formal response – a certificate of lawfulness of proposed works. Section 26H broadly mirrors the provisions of section 192 of the Town and Country Planning Act 1990 ("the 1990 Act") in respect of certificates of lawfulness of proposed use or development in the planning system. Sections 26I and 26K were inserted into the Act by section 61 of the Enterprise and Regulatory Reform Act 2013 (c. 24) ("the 2013 Act").
- 5.3.3 Applications for Certificates of Lawfulness of Proposed Works cannot be submitted in respect of works which have already been carried out as stated in the Guidance Notes on the Planning Portal. The works have not yet commenced on site.
- 5.3.4 The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014, states that such applications should be accompanied by, amongst other things, a statement explaining why the applicant believes the proposed works would not affect the character of the listed building as a building of special architectural or historic interest.
- 5.3.5 Sections 6 of the application form describes the proposed works as follows:

Internally a 125mm Environment Silent Design SILDES1505 kitchen extractor fan would be placed at the top of the kitchen wall near the hob where it would unobtrusive – presenting with a slim, white square cover on a painted wall. Electrical work inside the kitchen would be minimal as there is already wiring to the lights on the base of the adjacent wall-cupboard and the switch could be placed next to the existing light switch. On the outside of the wall a terracotta-coloured down facing baffle will be used which will be camouflaged against the brick work. Care would be taken to damage a minimum number of bricks to achieve this.

At present the only method of ventilation when cooking is to open the top half of the kitchen door and the front door and then to depend on any resulting airflow through the house. A better mechanical extraction of steam when cooking is required as a build-up of moisture on the ceiling in the kitchen through to the dining hall is affecting the paintwork and potentially doing damage to the fabric of the house. As well as reducing humidity it would improve the indoor air quality. The extraction rate would conform to building regulations as it is rated 49 l/s, exceeding the 30 l/s requirement.

Whilst Section 7 sets out the grounds for the application as follows:

The older, more historic part of the house will be unaffected. Approximately 4 bricks will be affected on the outside of the Victorian southwestern gable end of the house. It will be difficult to

see the change as the terracotta colour of the baffle will match the brickwork. The climbing rose growing up the wall will also make it less obvious. The addition of a small extract fan will not affect the character of the house but will in fact protect it by reducing moisture in the air and any resulting condensation and damp. The proposed works are minimal and as such I do not believe that they make an impact which requires listed building consent. They will not be visible from the road due to the boundary hedge.

5.4 **Conclusion**

- 5.4.1 It is considered that the proposed works are de minimis i.e. will not affect the listed building's special character, therefore, listed building consent is not required and that a Certificate of Lawfulness of Proposed Works should be granted.

6.0 **Recommendation**

- 6.1 That a Certificate of Lawfulness of Proposed Works be **GRANTED**.

1. The proposal would not constitute an alteration affecting the special character of this listed building and is lawful within the meaning of Section 26H(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 December 2025	