

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00495/LDCLB	Replace 5no. timber, single-glazed windows with Pvcu, double-glazed windows. Replace front and rear doors with composite doors.	8 Westholm Letchworth Garden City Hertfordshire SG6 4JB

Submitted Plan Nos

24015/01

1.0 Policies

HE1	Designated heritage assets
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2.0 **Relevant History**

- 2.1 A general enquiry not associated with this proposal was received in 2023. There is no other recent planning history relevant to this case.

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 Nos.1-24 Westholm are grade II listed and are located within the Letchworth Conservation Area. The buildings were added to the Statutory List of Buildings of Special Architectural or Historic Interest on 7 September 1979 and the list entry reads as follows:

1906 by B Parker and R Unwin plan designs of 1898/9 published in 1901 by Parker and Unwin in "The Art of Building a House". This, with the Birds Hill development (qv), is the earliest known scheme based on the traditional village green layout, and the prototype of all later development of this type throughout the country. Grouped cottages in 7 one and a half storey in blocks of 2, 4 and 5 houses, varying in design through judicious use of irregular gables and dormers. The focal point of the composition is the large central gable of Nos 12 and 13. Tiled roofs with brick ridge stacks. Roughcast walls. Transom and mullion windows, some with glazing bars. Recessed, arched doorways. Later alterations and additions. Included as a seminal development concept.

5.2 **Proposal**

- 5.2.1 Replace 5no. timber, single-glazed windows with Pvcu, double-glazed windows. Replace front and rear doors with composite doors.

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 although the front appears to be a later composite type as set out in the submission.

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 According to the guidance on making such an application, applications for Certificates of Lawfulness of Proposed Works should include the following information:

- ☐ *detailed description of the proposed works (including existing and proposed materials and finishes) together with details of those part(s) of the building likely to be affected*
- ☐ *the reasons the applicant thinks they are entitled to a Certificate of Lawfulness of Proposed Works i.e. why they think the proposed works do not affect the special architectural or historic interest of the listed building*
- ☐ *any other relevant information*
- ☐ *a plan identifying the listed building(s) to which the application refers*
- ☐ *a statement as to the applicant's interest (ownership, tenancy etc) in the listed building(s) and any interest of any other person*
- ☐ *details of listed building grading – if not known, this information can be found in the National Heritage List for England, which is available on Historic England's website at: (<https://www.historicengland.org.uk/listing/the-list>)*

5.3.6 There is no separate justification statement accompanying the application but Section 6 of the application form states:

We propose to remove and dispose of the existing timber single glazed windows at 8 Westholm, Letchworth Garden City. Subsequently we will supply, fix, glaze and mastic point replacement “Rehau Rio Flush Sash” Pvcu windows to match existing windows in line with the criteria set to similar house types/properties, regarded as “Heritage”. Planned drawings, product details/information are attached to aid this proposal.

5.3.7 At Section 7 of the application form it states under ‘Grounds for Application’ the following:

We believe the upgrade in fenestration, will dramatically improve the thermal efficiency of the property as well as providing improved ventilation and fire escape required by Building Regulations. Also future maintenance will be reduced, and will give the tenants a much improved “Living Existence”. The character of the building will remain as the proposed product replicates the existing fenestration.

- 5.3.8 A site inspection was undertaken on 8 April 2025 and it is confirmed that the existing windows are original and single-glazed. Although not required specifically as part of the submission, no assessment has been provided regarding the condition of the existing windows before considering their replacement. The front and rear doors are not original and are of no special interest.
- 5.3.9 The Rehau brochure states that the *“Rio flush fit window is a realistic alternative to traditional timber windows. Turner Oak makes a real impact with the option of three jointing methods, adding a quality finish to the exterior of a traditional building”*. The jointing methods are given below:

Full mechanical joint

The full mechanical joint is the most realistic timber flush fit window appearance for ultimate authenticity.

Fully-welded joint

The fully-welded joint is the same as a standard casement window offering the most cost effective option.

MechWeld joint

The MechWeld joint offers the appearance of mechanical-style timber joints on the outside with a fully welded detail inside

It is considered that this Pvcu window range is no substitute for traditional timber windows when it comes to the special character of listed buildings.

- 5.3.10 The application references improvements to thermal efficiency, ventilation and fire escape together with the future maintenance of the proposed windows, however, these are not material considerations when dealing with replacement windows to a listed building.
- 5.3.11 Approved Document L was last amended in 2021 and came into effect in June 2022 as part of the government's measures to reduce the UK's carbon emissions. On Historic England's website it says:

Upgrading windows and fully glazed external doors is mentioned in paragraph 4.10 that where they 'cannot meet the requirements of Table 4.2 because of the need to maintain the character of the building' then 'single glazing should be supplemented with low-emissivity secondary glazing'. In addition, as per paragraph 4.23 'they should be well fitted and reasonably draught-proofed'.

Historic England's web pages provide a comprehensive suite of technical advice and guidance on retrofitting historic buildings to improve their energy efficiency:

- ☐ *Energy Efficiency and Historic Buildings*
- ☐ *Installing New Services*
- ☐ *Heating Historic Buildings*
- ☐ *Overheating in Historic Buildings*

There is no requirement for replacement windows at this listed building to provide improved means of escape.

- 5.3.12 Whilst the Rehau Rio Flush provides a reasonable approximation of a painted timber window when closed and viewed from a distance, when open the plastic interior would be evident and on close inspection the texture of the material would not have the same patina as painted wood. It is unlikely that the material would weather or bed down in

the same way as timber, and so over time the synthetic nature of the material would become more apparent and would appear more incongruous.

5.3.13 The Rehau Rio Flush may be considered generally acceptable in Article 4 areas and on non-listed buildings in conservation areas but this window type would nevertheless, result in the use of a Upvc frame system which is considered an inappropriate and somewhat incongruous, modern frame system on this grade II listed building. Although the application form says that the windows will match, I am unconvinced that a detail such as the split transoms would be manufactured to match with consistent sight lines as currently displayed. Furthermore, the frame profiles are considered no substitute for authentic timber window frame joinery and the 28mm double-glazing system would emphasise the fact that this is a modern substitute system and falls short of the standard of window framing/glazing bar details necessary to safeguard the building's special character. It follows that the replacement of the timber windows with a plastic alternative, even those of the type proposed, would have a small but nonetheless significant and harmfully erosive effect on the appearance and historic character of the heritage asset.

5.3.14 As stated in the guidance for making such applications *"It is up to the person applying for a Certificate of Lawfulness of Proposed Works to provide the proper evidence to show that the proposed works do not require listed building consent. If the local planning authority has evidence, or reasonable grounds to believe, that the applicant's claim is not correct, it may refuse to grant a Certificate of Lawfulness of Proposed Works"*. It is considered that replacement Pvcu windows would affect the building's special character and therefore will require listed building consent which, if an application were to be submitted, may not necessarily be forthcoming.

5.3.15 It is noted that both front and rear doors are proposed to be replaced with composite doors. As stated above, the front and rear doors have previously been replaced. Originally, the front door would have been constructed in timber and with a 6-pane upper third. I am unconvinced that the front door would be a sufficiently close match to what would have originally existed and would erode the building's special character and harm the appearance of the conservation area. On the other hand, an appropriately detailed composite rear door may be acceptable. It is considered that replacement composite doors would affect the building's special character and therefore will require listed building consent which, if an application were to be submitted, may not necessarily be forthcoming.

5.3.15 Due to the rearward position of several windows and rear door, the harm to the appearance of the conservation area for these would be less.

5.5 **Conclusion**

5.5.1 It is considered that the proposed works will affect the listed building's special character. It is considered, therefore, that listed building consent is required and that a Certificate of Lawfulness of Proposed Works should not be granted.

6.0 **Recommendation**

6.1 That a Certificate of Lawfulness of Proposed Works be **REFUSED**.

The reason for the determination is as follows:-

Nos.1-24 Westholm are grade II listed and is a seminal development concept designed in 1906 by B Parker and R Unwin and located within the Letchworth Conservation Area. By reason of the removal of original windows, changing the frame material from timber to PVCU, changing the glazing system from single-glazed to 28mm double-glazing and together with the lack of construction details to illustrate that the split transom and single transom alongside can be readily manufactured as part of the Rehau Rio process to replicate the original window design found elsewhere at Westholm, the replacement windows together with the proposed composite front and rear doors would affect the listed building's special character, thus, will require listed building consent. The works are, therefore, not considered lawful within the meaning of Section 26H(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Certificate of Lawfulness of Proposed Works is refused.

Signed  Sam Dicocco	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 15 April 2025	