

The Planning Inspectorate

LISTED BUILDING CONSENT APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/X1925/Y/25/3369314

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Mr John Gass

Address

Keepers Cottage, 2A Orchard Way
Breachwood Green
Hitchin
Hertfordshire
SG4 8NT

Phone number

Email

Preferred contact method

Email



Post



B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes



No



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

North Hertfordshire District Council

LPA reference number

25/00956/LBC

Date of the application

22/05/2025

Did the LPA validate and register your application?

Yes



No



Did the LPA issue a decision?

Yes



No



Date of LPA's decision

15/07/2025

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes



No



Address

Keepers Cottage, 2A Orchard Way

Breachwood Green
Hitchin
Hertfordshire
SG4 8NT

Is the appeal site within a Green Belt? Yes ☐ No ☒

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☒

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes ☐ No ☒

Please enter details of the proposed development. This should normally be taken from the planning application form.

Replacement of 16 wooden single glazed windows with UPVC double glazing to provide noise insulation, in relation to the letter from the Housing and Local Government Department to our MP Alistair Strathern that Luton Airport and the Local Authority are responsible for noise insulation due to the noise from activities related to Luton Airport.

NHDC is a member of the LLACC, which runs the noise insulation scheme, and the minutes provided of the 21st October 2024 meeting confirm the existence of the noise insulation sub committee, the letter from London Luton Airport selecting Keepers Cottage for noise insulation in 2022 also specifies that it is the LLACC noise sub committee that has chosen the property for noise insulation, and at the time only UPVC windows were available.

Luton Airport have sent a response to my MP dated 24th March 2025 advising that all properties are treated the same under the noise insulation scheme and that we had to apply for Listed Building Consent so that they could mitigate the noise under the only noise insulation scheme approved by all parties, including HMG.

In addition, the fact that NHDC are members of the Airport Consultative Committee that chooses properties eligible for the noise insulation scheme, and indeed chose Keepers Cottage for the noise insulation scheme, and therefore NHDC agrees that all properties will be treated the same and will have UPVC double glazing installed and therefore must approve this ap

Area (in hectares) of the whole appeal site [e.g. 1234.56] 0.75 hectare(s)

Area of floor space of proposed development (in square metres) 0 sq metre(s)

F. BUILDING INFORMATION

Please indicate the grade of the building

Grade I ☐

Grade II* ☐

Grade II ☒

Has a grant been made under section 3A or 4 of the Historic Buildings and Yes ☐ No ☒

G. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused listed building consent. ☒
2. Granted listed building consent for the development subject to conditions to which you object. ☐
3. Refused to vary a condition(s) in a previous grant of listed building consent. ☐
4. Refused to remove a condition(s) in a previous grant of listed building consent. ☐
5. Failed to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☐

H. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☒

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☒ No ☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☐ No ☒

2. Hearing ☐

3. Inquiry ☐

I. FULL STATEMENT OF CASE

☒ see 'Appeal Documents' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes ☐ No ☒

(b) Have you made a costs application with this appeal? Yes ☐ No ☒

J. SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates; ☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates, as listed below: ☒

Owner's Name: Elspeth Gass
Address at which notice was served: Kelpers Cottage, 2A Orchard Way, Breachwood Green, Hitchin SG4 8NT
Date the notice was served: 16/07/2025

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach ☐

it below.

K. SUPPORTING DOCUMENTS

01. A copy of the application form sent to the LPA. ☒
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form). ☐
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☒
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☒
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☒
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒
05. (c) A list of all plans, drawings and documents upon which the LPA made their decision. ☒
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☐
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐
07. A copy of the design and access statement sent to the LPA. ☒
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☐
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☐
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐
10. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐
11. Any relevant correspondence with the LPA. ☒

L. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☒

M. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr John Gass

Date

16/07/2025 08:59:01

Name

Mr John Gass

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

N. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

O. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section: FULL STATEMENT OF CASE

Document Description: A copy of the full statement of case.

File name: Statement of case.docx

Relates to Section: FULL STATEMENT OF CASE

Document Description: A separate list of appendices to accompany your full statement of case

File name: Acknowledgement that NHDC have received PP-14080756.pdf

File name: DFT TO-00035164 Response (1).pdf

File name: Email from NHDC CEO stating they can not be the game keeper and the poacher in relation to the Noise Insulation.pdf

File name: email from NHDC raising conflict of interest.pdf

File name: Response_MC2025_04498 from MHCLG.pdf

File name: ScreenShot of PLanning portal.jpg

File name: Statement of Common Ground 11 September to sign.docx

File name: ufm3_Invalid_Letter_refusal to remove condition 2.pdf

File name: Letter from Luton Airport confirming noise insulation.pdf

File name: HO4231781 - 2A Orchard Way - Timber LLA Proposal.pdf

File name: ApplicationForm discharge request.pdf

File name: HO4231781 - 2A Orchard Way - PVC LLA Proposal.pdf

File name: Delegate note Winch Hill Farm house.pdf

File name: Decision Notice Winch Hill Farmhouse.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 01. A copy of the original application form sent to the LPA.

File name: ApplicationForm.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 03. A copy of the LPA's decision notice (if issued), or in the event of the failure of the LPA to give a decision, a copy of the LPA's letter in which they acknowledged the application.

File name: ufm27_Listed_Building_Refuse.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

File name: LocationPlan.pdf

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

File name: LocationPlan.pdf

File name: Location 16.jpg

File name:	Location Window 8 and 9.jpg
File name:	Location Window 10 11 12 13 and 14.jpg
File name:	Location Window 15.jpg
File name:	Location Windows 1 2 and 3.jpg
File name:	Location Windows 4 5 6 and 7.jpg
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	HO4231781 - 2A Orchard Way - PVC LLA Proposal.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.c. A list of all plans, drawings and documents upon which the LPA made their decision
File name:	Location 16.jpg
File name:	Location Window 8 and 9.jpg
File name:	Location Window 10 11 12 13 and 14.jpg
File name:	Location Window 15.jpg
File name:	Location Windows 1 2 and 3.jpg
File name:	Location Windows 4 5 6 and 7.jpg
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA. (Note: this does not apply to applications for conservation area consent).
File name:	Design and Access statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	11. Any relevant correspondence with the LPA.
File name:	Acknowledgement that NHDC have received PP-14080756.pdf
File name:	Email from NHDC CEO stating they can not be the game keeper and the poacher in relation to the Noise Insulation.pdf
File name:	email from NHDC raising conflict of interest.pdf
Completed by	MR JOHN GASS
Date	16/07/2025 08:59:01