

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01688/FP	Replace no.10 existing windows to first and second floors on south elevation of building.	16 Leys Avenue Letchworth Garden City Hertfordshire SG6 3EU

Submitted Plan Nos

3701 05B 3701 06C 3701 10

1.0 Policies

D1 Sustainable design

D3 Protecting living conditions

HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding
SECN16	Conserve + enhance historic environment

2.0 **Site History**

- 2.1 24/01008/FP - Change of Use of first floor from office to residential to create two 1-bed flats including external alterations. – Conditional Permission

3.0 **Representations**

- 3.1 **Neighbour Consultation** – None received.
- 3.2 **Environmental Health** – No Comment.
- 3.3 **Conservation Officer** – Surgery discussion concluded that timber frames were required. The building, whilst unlisted, is considered to make a contribution to the Conservation Area due to its prominent nature.
- 3.4 **Heritage Foundation** – Seeks timber framed windows.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 No. 16 comprises two first-floor flats off Leys Avenue. It is within the Letchworth Garden City Conservation area. The other buildings facing onto Leys Avenue, similar to the application building incorporate sash windows at first and second floor level with retail units below.

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for:

Replace no.10 existing windows to first and second floors on south elevation of building.

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The principle of the development.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The standard of amenity afforded to future occupiers.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Principle of Development:

4.3.2 The site is within the town centre of Letchworth. Policy SP2 advises that 'other development' will be permitted where they are sited within the defined settlement boundary of Letchworth. Given that the site is within the settlement boundary, the proposed development would comply with Policy SP2. The site is within Primary Shopping Frontage, as defined by the North Herts Local Plan 2011-2031. As these units are at first floor level, they would not run contrary with the provisions of Policy ETC4 of the North Herts Local Plan 2011-2031.

Design and Appearance:

4.3.3 Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development. This policy is broadly consistent with Chapter 14 of the National Planning Policy Framework. Policy HE1 emphasises how permission will be refused where proposals would cause substantial harm or a loss of significance to a Heritage Asset, in this case, the Conservation Area, and permission should be refused unless it can be demonstrated that the proposal is necessary to deliver considerable public benefits to outweigh this harm or loss. Policy SP13 emphasises how great weight will be given to the potential harms to the significance of heritage assets, seeking their conservation and management of their setting. This policy is broadly consistent with Chapter 20 of the National Planning Policy Framework. Section 72 of the Planning (Listed Building and Conservation Areas) act 1990 emphasises that development should seek to the preservation or enhancement of the Conservation Area.

4.3.4 The application site seeks to replace existing white framed sash windows with new timber framed sash windows. This building is not listed but sits within a line of buildings that line Leys Avenue that are considered to make a positive contribution to the character and appearance of the wider Conservation Area, and it is their cumulative appearance and consistency that makes the biggest contribution to the Conservation Area. The external appearance and character of the building would be predominantly retained, with alterations to fenestration to the front and rear elevations. Following the amendment of the plans to utilise timber framed windows, impacts to the Conservation Area would not be unacceptable.

4.3.5 The proposed development is therefore considered to be in compliance with Policies D1 and D2 of the Local Plan and the core principles set out within Chapter 14 of the National Planning Policy Framework. The potential impacts to the surrounding Conservation Area are considered to be acceptable, and the significance of this

heritage asset will not be unacceptably harmed. Policies HE1 and SP13 of the Local Plan 2011-2031 and Chapter 20 of the NPPF are considered to be complied with. The development is considered to comply with Section 72 of the Planning (Listed Building and Conservation Areas) act 1990. The design and appearance are therefore acceptable.

Standard of Amenity for Occupiers:

- 4.3.6 The units are set above Leys Avenue, notably above a Public House. The parent permission for the change of use into flats required consultation with Environmental Health including the limitation of window opening and the use of mechanical ventilation to Flat 1. Environmental Health have no comments to this application, and therefore, subject to the conditions attached to the previous permission being complied with, I see no reason that the replacement windows would harm the standard of amenity of occupiers.

Impact on Neighbouring Properties:

- 4.3.7 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the National Planning Policy Framework.
- 4.3.8 The proposed development would not enlarge the existing openings and is not considered to introduce any new openings that would overlook neighbouring properties. No losses of light or privacy would arise given the openings would be consistent with the existing layout. New openings would not allow for new vantage points. No neighbour objections were received.
- 4.3.9 Given the above, it is considered that the proposed development would result in no unacceptable detrimental impact upon neighbouring occupiers and is therefore compliant with Policy D3 of the local plan and the aims of the National Planning Policy Framework.

4.4 Conclusion and Planning Balance

- 4.4.1 The proposed development is considered acceptable and is considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable.

5.0 Recommendation

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory

Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 24 August 2026	