

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03139/FPH	Replacement doors and windows to front and rear elevations (development already commenced).	19 Benslow Lane Hitchin Hertfordshire SG4 9RE

Submitted Plan Nos

LocationPlan 011 2026 002	011 2026 001 Rev A
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1.0 Policies

D1	Sustainable design
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D3	Protecting living conditions
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN16	Conserve + enhance historic environment

2.0 **Site History**

- 2.1 86/00042/1 – Erection of replacement single storey rear extension. – Conditional Permission

3.0 **Representations**

- 3.1 **Neighbour Representations** – None Received.

- 3.2 Conservation Officer – Objection. Notes site's location within Conservation Area and Article 4 Area. Locality is predominantly sash windows with timber frames. The opening method is acceptable, however, UPVC construction is unacceptable. Article 4 area seeks to stop the loss of traditional materials that would make a strong contribution to the character of the conservation area. Detrimental impact to the group of dwellings as a whole from the change in materials. The development does not make a positive contribution to the conservation area. The harm arising would not be outweighed by any public benefits.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises No. 19 Benslow Lane, a mid-terrace two storey dwelling in Hitchin. The site is within the Hitchin Conservation Area and Article 4 Area.

4.2 **Proposal**

- 4.2.1 Planning Permission is sought for:

Replacement doors and windows to front and rear elevations (development already commenced).

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the development and its resultant impact on the character and appearance of the area.
- The impact that the development has on the living conditions of neighbouring properties.

Design and Appearance and Conservation Impacts:

4.3.2 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. Policy D2 of the Local Plan requires extensions to houses and the erection or replacement of buildings to incorporate design that is sympathetic to the main dwelling in terms of its scale, form and orientation and does not harm the character and appearance of the locality around the site. These policies are broadly consistent with Section 12 of the National Planning Policy Framework. Policy HE1 emphasises how permission will be refused where proposals 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 Section 16 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.

4.3.3 The host dwelling is within the Conservation Area and the Article 4 Area. The spirit of the Article 4 Area is to improve the character and significance of the area by requiring the use of traditional fenestration materials, opening methods and appearances. The windows utilise an acceptable method of opening and glazing but are constructed from UPVC. The front door is also constructed from UPVC. It is considered that the use of UPVC instead of timber runs contrary with the goals and aspirations of the Article 4 Area and fails to enhance the Conservation Area when compared to the previous windows and front door. Therefore, for this reason, the windows and doors are considered to be unacceptable in design and heritage terms. Whilst the applicant put forward an argument that the previous windows were in poor condition, their replacement and repair would not outweigh the harm to the area's special character. Given the windows and door are to the principal elevation, it is considered that harm, to the wider area as well as the building arises due to their public position within the street scene. The windows to the rear whilst not as visible, are within the area, and are therefore not acceptable.

4.3.4 The development is therefore considered to be contrary with Policies D1 and D2 of the Local Plan and the core principles set out within Section 12 of the National Planning Policy Framework. The potential impacts to the surrounding Conservation Area and Article 4 Area are not considered to be acceptable, and the significance of this heritage

asset will be unacceptably harmed. Policies HE1 and SP13 of the Local Plan 2011-2031 and Section 16 of the NPPF are considered to be contravened. The development is not considered to comply with Section 72 of the Planning (Listed Building and Conservation Areas) act 1990. The design and appearance are therefore unacceptable.

Impact on Neighbouring Properties:

- 4.3.5 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.
- 4.3.6 The windows and door do not enlarge the openings and therefore do not result in loss of light or dominance. There are no new vantage points for overlooking or losses of privacy. No neighbour objections received.
- 4.3.7 Given the above, it is considered that the development results 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**

- 4.4.1 The replacement windows and doors cause harm to the character and appearance of the Conservation Area and Article 4 Area. The use of UPVC instead of timber frames runs contrary with the goals of the Article 4 Area and fails to enhance the wider Conservation Area. There are no public benefits that outweigh the harm to the heritage asset. This runs contrary to the provisions of Policy HE1 of the Local Plan, Section 16 of the NPPF, and 72 of the Planning (Listed Building and Conservation Areas) act 1990. Refuse permission.

4.5 **Alternative Options**

- 4.5.1 None applicable.

5.0 **Recommendation**

- 5.1 That planning permission be **REFUSED** for the following reasons:

- 1. The replacement windows and doors cause harm to the character and appearance of the Conservation Area and Article 4 Area. The use of UPVC instead of timber frames runs contrary with the goals of the Article 4 Area and fails to enhance the wider Conservation Area. There are no public benefits that outweigh the harm to the heritage asset. This runs contrary to the provisions of Policy HE1 of the Local Plan, Section 16 of the NPPF, and 72 of the Planning (Listed Building and Conservation Areas) act 1990.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 13 May 2026	