

DELEGATED FILE NOTE

CASE OFFICER: ...Tricia Craggs.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

25/02195/LDCLB

Replacement of 9 no. timber windows

1 Gun Lane

Knebworth

Hertfordshire

SG3 6BH

Submitted Plan Nos

Location plan Elevations

1.0 Policies

HE1

Designated heritage assets

2.0 **Relevant History**

2.1 The most recent planning history is

86/00676-1 – Erection of two storey side extension and front porch following demolition of garage.

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 1 Gun Lane Knebworth is a Grade II listed building and is a Designated Heritage Asset for the purpose of applying the aims of the National Planning Policy Framework (NPPF). The list entry is as follows:

TL 21 NW KNEBWORTH GUN LANE (east side)

7/138 No 1

- II

Cottage. Probably C17. Timber frame. Plain tile steep pitched roof. Red brick square chimney stack on right of ridge near road end. Plaster over C19 stucco. Single storey and attic. Central C20 door, above which is a large gabled dormer of C17 or C18. 2 modern casements. Gable end is red brick and weatherboarding and has C19 flush panel door.

Listing NGR: TL2496419972

5.2 **Proposal**

5.2.1 Replacement of 9 no. timber windows

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 or buildings as a building or buildings of special architectural or historic interest.
- 5.3.5 The submitted application form states :
- The proposed replacement timber windows (9nos) will be to the modern 1980's extension.*
- 5.4 **Conclusion**
- 5.4.1 It is considered that the replacement timber windows would not affect the listed building's external appearance and special character. It is considered, therefore, that listed building consent is not required and that a Certificate of Lawfulness of Proposed Works can be granted.
- 6.0 **Recommendation**
- 6.1 That a Certificate of Lawfulness of Proposed Works be GRANTED

1. The work to which this consent relates shall be begun by not later than the expiration of the period of 3 years from the date of this notice.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 22 October 2025	