

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00882/LDCLB	External redecoration of render from cream to white	17 Birds Hill Letchworth Garden City Hertfordshire SG6 1PL

Submitted Plan Nos

Location Plan

1.0 Policies

HE1	Designated heritage assets
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SECN16	Conserve + enhance historic environment
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2.0 **Relevant History**

2.1 The planning history for this site is provided below.

25/01490/LBC - Removal of rear porch. Replacement of rear timber door.
CCON 28.10.2025

25/02099/LBC – Installation of wood burning stove.
CCON 17.12.2025

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. 9-27 (odd) Birds Hill are grade II listed and located within the Letchworth Conservation Area. The buildings and the area are Designated Heritage Assets for the purpose of applying the aims of Section 16 of the NPPF. The list entry reads as follows:

<https://historicengland.org.uk/listing/the-list/list-entry/1102020?section=official-list-entry>

5.2 **Proposal**

5.2.1 The description reads as follows: ***External redecoration of render from cream to white.***

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 as a building of special architectural or historic interest.
- 5.3.5 The Heritage and Design Statement states that *“by painting the house to match the neighbouring properties it will restore the property to its original house colour and unify the street scene”* with which I agree.
- 5.3.6 Although Sandtex Microseal Ultra Smooth Weatherproof Masonry 15 year Exterior Wall Paint in pure brilliant white is proposed alongside Wickes Bitumen Damp Proof Membrane Liquid for the plinth, these would not normally be materials of choice on listed building work. The property has, however, previously been painted (as opposed to for instance, limewashed). Together with staining the weatherboarding, the choice of materials and resulting appearance would not affect the listed building’s special character or harm the character or appearance of the Letchworth Conservation Area.

5.4 **Conclusion**

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

6.0 **Recommendation**

- 6.1 That a Certificate of Lawfulness of Proposed Works be **GRANTED**.

- 1. The proposal would not constitute an alteration affecting the special character of this listed building and is lawful within the meaning of Section 26H(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 19 June 2026	