

CONSERVATION TEAM CONSULTATION APPLICATION RESPONSE

APPLICATION REF:	26/01674/FP
CASE OFFICER:	Thomas Howe
APPLICATION SITE:	70A Leys Avenue Letchworth Garden City Hertfordshire SG6 3EG
DESCRIPTION OF WORKS:	Change of use of first and second floor from Commercial (Use Class E) to Residential (Use Class C3) to provide two self-contained flats including alterations to fenestration and cycle and bin storage.
RECOMMENDATION: There is NO OBJECTION. The scheme will satisfy the provisions of Sections 16(2) (LBC) and /or 66(1) (FP/FPH) and/or 72(1) (both) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 20 of the NPPF(August 2026) and Policy HE1 of the North Hertfordshire Local Plan 2011-2031. SUGGESTED CONDITIONS: None.	
SHORT SUMMARY: Impact on listed building's special character – N/A Impact on character and appearance of the conservation area – The site is located within the Letchworth Conservation Area. With particular reference to this section of the character statement. <i>3.38 The buildings further down Station Road and Leys Avenue are lower, generally two storeys and appear more domestic in scale. In some cases, buildings containing three to four shops are also seen at this smaller scale, reflecting the principles of the larger blocks in proportions and divisions. However, the majority of the buildings of this smaller scale are individually designed and constructed rather than forming a block. The ridges continue to run parallel to the road providing continuity to the overall building form. Some of these buildings follow the Georgian style and therefore respect the classical proportions.</i> The proposal includes one external alteration that is the changing of a rear door to a rear window on the rear elevation. Given the character of this part of Leys Avenue and the changes are to the rear elevation there is no harm as the proposal is in keeping in terms of the size and design of the window. However, no detail on the material used for the new window has been provided and this would need to be confirmed beforehand.	

Site Context:

[Please see summary section above](#)

DETAILED ANALYSIS AND CONSIDERATIONS:

Please see summary section above.

HERITAGE POLICY ASSESSMENT:

Planning (Listed Building and Conservation Areas) Act 1990:

North Hertfordshire Local Plan 2011-2031:

NPPF (August 2026):

The Local Plan and NPPF

North Hertfordshire Local Plan 2011-2031 and the policies contained within it i.e., Policy HE1. The plan was adopted November 2022.

The relevant policy paragraphs of Section 20 of the August 2026 version of the NPPF are detailed as follows:

HE5: Assessing effects on heritage assets.

- 1. Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be referred to in making this assessment, and appropriate expertise employed where necessary.*
- 2. Assessments of the potential effects of development proposals on the significance of heritage assets (including through effects on their setting) should identify whether proposals would be likely to: a. Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or b. Have no effect on the significance of a heritage asset; or c. Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or d. Cause the total loss of the significance of a heritage asset.*
- 3. In making this assessment it is the effect on a heritage asset's significance rather than the scale of the development which should be considered.*
- 4. Decision-makers should be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals.*
- 5. Where a development proposal involves, or has the potential to involve, a heritage asset with archaeological interest, an appropriate desk-based assessment should be undertaken and, where necessary, a field evaluation. These should be used to help understand the asset's significance and the potential effect of the proposal on this, which should inform the design, mitigation and implementation of the development.*

HE6: Proposals affecting designated heritage assets.

- 1. When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation 96 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.*
- 2. Development proposals which would have a positive effect on a designated heritage asset should be supported.*
- 3. Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.*
- 4. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.*

Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

5. Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss, or if all of the following apply: a. The nature of the heritage asset would otherwise prevent all reasonable uses of the site; b. No suitable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; c. Conservation by grant-funding or some form of not for profit, charitable or public ownership is not possible; and d. The harm or loss is outweighed by the benefit of bringing the asset back into use.

6. Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings, or grade II registered parks or gardens, should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional 64* .

The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) – December 2017

At para 14 under the sub-heading ‘Landscape Assessment and Amenity’ it states that “Analysis of setting is different from landscape assessment. While landscapes include everything within them, the entirety of very extensive settings may not contribute equally to the significance of a heritage asset, if at all. **Careful analysis is therefore required to assess whether one heritage asset at a considerable distance from another, though intervisible with it – a church spire, for instance – is a major component of the setting, rather than just an incidental element within the wider landscape.**”

At para 17 it states (my emphasis in bold): “All heritage assets have significance, some of which have particular significance and are designated. The contribution made by their setting to their significance also varies. **Although many settings may be enhanced by development, not all settings have the same capacity to accommodate change without harm to the significance of the heritage asset or the ability to appreciate it.** This capacity may vary between designated assets of the same grade or of the same type or according to the nature of the change. It can also depend on the location of the asset: an elevated or overlooked location; a riverbank, coastal or island location; or a location within an extensive tract of flat land may increase the sensitivity of the setting (i.e. the capacity of the setting to accommodate change without harm to the heritage asset’s significance) or of views of the asset. This requires the implications of development affecting the setting of heritage assets to be considered on a case-by-case basis.”

CONCLUSION:

[There are no objections to the proposal for the reasons stated above.](#)

OFFICER: Tricia Craggs

DATE: 25 August 2026