

CONSERVATION TEAM CONSULTATION APPLICATION RESPONSE

APPLICATION REF:	25/02425/FP
CASE OFFICER:	VW
APPLICATION SITE:	The Three Horseshoes, Willian Road, Willian, Letchworth Garden City, Hertfordshire SG6 2AE
DESCRIPTION OF WORKS:	Erection of two boundary fences (development already carried out).

RECOMMENDATION:

I raise **NO OBJECTION** to the scheme as it will satisfy the provisions of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

SHORT SUMMARY:

Impact on the significance of The Three Horseshoes and the character and appearance of the Willian Conservation Area.

The proposal will not impact upon the listed building's significance and will have only a minor impact upon the appearance of the WCA.

Harm, preserve or enhance.

The proposal will not harm the listed building's significance or adversely affect the character or appearance of the WCA.

SITE CONTEXT:

The Three Horseshoes is grade II listed and is in the Willian Conservation Area. The building and the area are Designated Heritage Assets for the purpose of applying the aims of Section 16 of the NPPF. The building is described in the link below:

<https://historicengland.org.uk/listing/the-list/list-entry/1347290?section=official-list-entry>

DETAILED ANALYSIS AND CONSIDERATIONS:

Schedule 2 Part 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 entitled 'Minor operations' states that under Class A – gates, fences, walls etc, the following is permitted development:

A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Setting the matter of height to one side for a moment, development is not permitted under A.1 (d) if it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.

The following series of images are from Google Maps and indicate not only how the western boundary has changed from the somewhat unmanaged appearance of soft landscaping in 2010 to an open boundary but this also shows the type of boundary treatment to the north and east boundaries. A timber-famed gazebo appears sometime after March 2019 and before Aug 2024.

April 2010



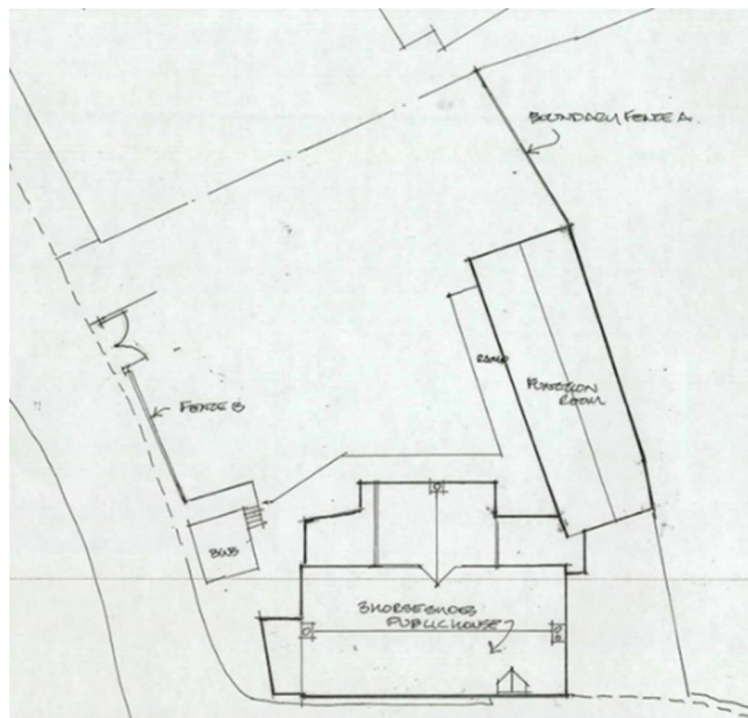
March 2019



Aug 2024



Under Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 relating to Class E – buildings etc incidental to the enjoyment of a dwellinghouse, it states that development is not permitted under E.1 (g) if the building, enclosure, pool or container would be situated within the curtilage of a listed building. I have been unable to find a planning permission relating to this gazebo.



Refocusing on the boundary treatment, although there is evidence of a previous close-boarded fence on the northern boundary this has been replaced by the left-hand section of fence in the image top-left below but does not form part of this application. Furthermore, the gates on the western boundary (below left in images below) do not figure in the description either. Would it not have been appropriate to have covered all these matters in one application with a description perhaps reading as follows:

Erection of timber-framed gazebo in rear garden, closeboard fencing to northern boundary, closeboard fencing with trellis to east boundary and timber post-and-rail fencing and entrance gates to west boundary (development already carried out).

5 August – Compliance Officer photos



10 December – Planning Officer photos



HERITAGE POLICY ASSESSMENT:

Planning (Listed Building and Conservation Areas) Act 1990:
Sections 66(1) & 72(1)

North Hertfordshire Local Plan 2011-2031:
Policy HE1

NPPF (December 2024):
The following paragraphs are relevant:

- **135 c)** (sympathetic to local character and history, including the surrounding built environment),
- **207** (local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting)
- **210** (desirability of new development making a positive contribution to local character and distinctiveness),
- **212** (great weight should be given to the asset's conservation),
- **213** (clear and convincing justification), and
- **215** (harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use).

CONCLUSION:

I raise no objection to the boundary treatment as currently identified in this application, but I question whether other matters should be considered as part of this application. Even if the gazebo does not form part of this application I would have changed the description to reference the gates on the western boundary.

OFFICER: Mark Simmons**DATE:** 16/12/2025