

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00517/LDCLB	Replacement of water reed thatched roof with additional fire proofing material and addition of roof ridge ornamental design	The Old Vicarage Willian Road Willian Letchworth Garden City Hertfordshire SG6 2AE

Submitted Plan Nos

Site Plan Location Plan

1.0 Policies

2.0 Relevant History

- 2.1 There is application history on file under The Old Vicarage, Willian Road, Willian, Letchworth Garden City, Hertfordshire SG6 2AE, however, there is no history that is directly relevant to the current application.

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 The Old Vicarage is grade II* listed and is located within the Willian Conservation Area. The building is described as 'The Old Vicarage, Baldock Lane, Letchworth Garden City' in the HE module and the list entry reads as follows:

Probably earlier C16, altered. Originally 3-bay, lobby entrance house type. East (chamber) bay retains internal remains of windows to former east gable and fireplaces on ground and first floors. Lobby entrance with opposing staircase, whose reconstruction circa 1925 probably involved the removal of the original hall fireplace. The hall bay was probably altered front and rear during the C18. The western bay was rebuilt circa 1925 and the house refenestrated at the same time. A modern kitchen wing has been added at the east end. Two storeys. Three window front with one window projecting wings at either end. Timber-framed with panel infill. The former C16 entrance bay still retains its first-floor jetty at side and rear. Thatch roof, gabled at west end bay and hipped at east end bay. Moulded brick, modern stacks. Lobby entrance with blocked, 4 centred arched window with 2 lights at first floor. Internal, former gable windows of east bay mullioned with ovolo mouldings and stay bars. Two, three and four light casement windows of circa 1925 with leaded lights. C18 architraved doorway with dentil cornice and panelled door. Interior with chamfered ceiling beams with tongue stops. Brick fireplaces; ground floor with C17 segmental brick arch replacing former lintel; first floor with original; chamfered 4 centred brick arch. (VCH III p 177; RCHM Herts p 243.)

5.2 Proposal

- 5.2.1 The description reads as follows: ***Replacement of water reed thatched roof with additional fire proofing material and addition of roof ridge ornamental design.***

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 There is no separate justification statement accompanying the application but Section 6 of the application form states:

Replacement of water reed thatched roof on a like for like basis with the addition of fireproofing material.

Schedule of works:

- Strip off the Old Thatch and to Check Rafters.
- Fit Fire Proofing (PU28 Fire Blanket)
- To Re-Thatch the Roof in 12" - 14" of Water Reed
- Provide New Ridge with ornamental woodwork and cut-out ornamental design
- Completely net with 3/4" heavy gauge galvanised wire netting

- 5.3.6 At Section 7 of the application form it states under 'Grounds for Application' the following:

The work is to replace an aging thatch roof that now requires replacement. The replacement will be on a like for like basis with the same materials using a National Society of Master Thatchers endorsed thatcher.

- 5.3.7 Externally, there would be no discernible change to the character or appearance of the listed building other than the use of 'fresh' water reed. Internally, the existing lath-and-plaster ceilings are not being altered. A limited inspection of the underside of the roof via a small loft hatch on 9 June 2025 revealed non-original rafter work and what appears to be a bitumen-based roof membrane suggesting C20 work which may indicate this was part of the work undertaken when western bay was rebuilt circa 1925. The applicant intimated that the property had previously suffered a fire which may well explain the relatively 'new' rafter construction but no evidence if provided as to when the fire occurred. Furthermore, no thatching basecoat or fleeking was evident.

5.3.8 The building's grade II* listed status means that it is regarded as being an asset of highest significance (para 213 b) NPPF). Historic England have been contacted to seek a view as to whether introducing a FirePro Plus PU28 Fire Barrier would be considered an alteration affecting the listed building's special character. If that were the case, then a 'certificate' should not be granted, and the applicant would then need to be advised that listed building consent would be required, and which would be considered on its merits.

5.3.9 Following a conversation between the case officer and David Eve (Historic England) on 16 June, the consensus professional opinion is that the re-thatching scheme with fire barrier will not affect the listed building's special character.

5.4 **Conclusion**

5.4.1 It is considered, therefore, that 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: 20 June 2025	