

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01968/LDCLB	Like-for-like replacement of 2no front elevation windows	5 Westbury Farm Close Offley Hitchin Hertfordshire SG5 3FL

Submitted Plan Nos

Location Plan Existing Window Plan Proposed Window Plan Window Section 3 Plan Window Section
Plan

1.0 Policies

2.0 Relevant History

2.1 11/02905/1LB – Addition of conservation rooflight in south-east roofslope.

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 None.

5.0 Planning Considerations

5.1 Site & Surroundings

5.1.1 5 Westbury Farm Close grade II listed and located in Offley Conservation Area and are Designated Heritage Assets for the purpose of applying the aims of the National Planning Policy Framework (NPPF). The list entry is as follows:

The House is Grade II listed and the listing details a farmhouse, now flats (actually now 3 houses). C15 or early C16 former open hall house with 2-storeys. S crosswing, floor and chimney inserted in hall in later C16 (according to records probably between 1564 and 1569 by Robert Ivory (inf Mrs. Vera Davis)); jettied porch and taller N crosswing probably of that time or early C17, C19 and C20 gabled rear additions. Timber frame on stuccoed brick sill, roughcast. Plaster to ground floor of S wing at front. Roughcast single-storey L-shaped brick outbuilding at S end. Steep old red tile roofs. A 2-storeys and attics, H-shaped house facing E set at back of farmyard, with 2 gabled crosswings, gabled jettied porch with pointed archway, and 2-storeys canted bay window to right of porch. Very large internal chimney at junction of centre and N wing with semi-circular attached shaft to broad stepped face of chimney above roof with red brick corbelled cap renewed. Internal gable chimneys at rear gable of each wing. Narrow projecting stair tower in rear angle of centre with N wing. Front has 3-light flush C19 lattice casement windows generally but 2-lights to attic top of gable of N wing. Gabled dormer on N roofslope also lights this attic floor. Interior has elaborately moulded cross-beam carrying inserted floor in hall with hollow moulded bracket support from chamfered post on rear wall. Structure of older S service wing of 2 bays with jowled posts, convex-curved tension braces set inside wall studs, clasped-purlin roof with one purlin in each slope carried on collar_and-queen-struts. Mortices under tie-beam for cross-partition into 2 rooms on 1st floor and presumably for service rooms on ground floor. Edge-halved scarf in wallplate. Listing NGR: TL1409927094

5.2 Proposal

5.2.1 Like-for-like replacement of 2no front elevation 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 Heritage Statement says:

2.0 Description of the building and setting The house frontage with Westbury Farm Close comprises three separate dwellings with a mix of 2 and 3 stories across the houses. 5 Westbury Farm Close is the right-hand section of the former farmhouse and is a pink rendered house with four bedrooms set across 3 floors, two on the upper floor, one on the first floor and 1 on the ground floor. The current sub-divided houses were constructed within the former farmhouse in the early 2000's and the current residents have been at the property for nearly 6 years. The windows to the front of the property are 3-part casement windows with diamond leaded lights to the ground and first floor but the third floor of the property is not. All are wood and are conventional opening windows.

3.0 Scope of the works

3.1 Overview The proposed works consist of

- Full renovation and draught proofing*
- Supply and fit new casement inserts to be fitted into existing frames due to current state being beyond repair.*
- Accoya timber Heritage slimline diamond leaded units to be installed*

- *Frame and sill repairs*
- *New lockable catch and casement stay.*
- *Frame sizes and widths to remain unchanged with no planned changed appearance to windows.*

3.2 Further detail on works Replacement of all 3 casements in the existing frames on both ground and first floor windows due rot in the existing areas and them constituting beyond repair. The plan is for works to be undertaken by L&D window restoration limited, a local company that places emphasis on sympathetic window restoration, window repair and installation, with appropriate materials, and which are in keeping with the appearance of the building. The proposed glazing system Heritage slimline diamond leaded units, constructed locally by a family run company who make all sealed units by hand. Their focus is on being both aesthetically pleasing and sensitive to the architectural integrity of the property. 4. Impact on the character of the building It is considered that there would be no impact on the character of the building. The renovations plan to create a like for like replacement to existing casements within the existing frame. The size, frame and leading will remain unamended and the work is required to ensure the continued structural integrity of the windows which are considered to be beyond effective repair. The look from both the interior and exterior of the building will be completely unaltered

5.4 **Conclusion**

- 5.4.1 It is considered that the replacement windows and associated renovation works would not affect the listed building's external appearance and special character nor that of the conservation area. 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 proposal would not constitute an alteration affecting the special character of this grade II 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: 17 January 2025	

