

CONSERVATION TEAM CONSULTATION APPLICATION RESPONSE

APPLICATION REF:	25/03139/FPH
CASE OFFICER:	Thomas Howe
APPLICATION SITE:	19 Benslow Lane Hitchin
DESCRIPTION OF WORKS:	Replacement doors and windows to front and rear elevations (development already commenced).

RECOMMENDATION:

There is AN **OBJECTION**. The scheme will not 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 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

SUGGESTED CONDITIONS:

Not applicable.

SHORT SUMMARY:

Impact on character and appearance of the conservation area.

The property is located in the Hitchin Conservation Area and an extract from the Conservation Area Appraisal document with an extract relating to Benslow Lane.

7.6 Character Area 6: Benslow Lane, Trevor Road and part of Radcliffe Road and Verulam Road
This Character Area relates to Hitchin's expansion after the railway arrived in the town in the middle of the 19th century. Benslow Lane is contained by terraced houses, two or three storeys high, dating to the mid to late 19th century (Benslow Terrace retains a date plaque of 1861). The houses are mainly two windows wide with natural slate roofs facing the street and small front gardens, historically contained by low brick walls. Nos. 41/43 are a pair of substantial brick houses of c1870 with mullioned and transomed windows and large gables facing the road. Next door, no. 45 (Elm Garth) is a pleasingly symmetrical three bay detached villa of around 1860, with a shallow hipped slated roof and a central entrance defined by a stuccoed doorcase. Trevor Road is a small cul-de-sac of more modestly sized terraced houses, mainly one window wide, but also built using red brick (sometimes with blue headers) with natural slate roofs. Along both streets, the simple building forms are enlivened by the substantial brick stacks, often topped by their original clay chimney pots, which are important in views along each street. Some of the original margin light or multi paned windows remain. The Walsworth Road properties are more mixed but similarly dated (about 1860 to 1880), with a variety of details, but again mainly built using red brick. Sash windows are the most common window type. One of them, no. 106, has a small pediment over the central bay, defined by yellow brick, with a large bay window on one side. No.47 Walsworth Road was built c1860 and is considered to be a

Building of Local Interest. On the north side of the street, nos. 43 to 46 (consec) are an imposing three storey terrace of houses of c1875, with gables facing the street and canted two storey bay windows which are decorated with modillion eaves cornice and foliage capitals to the window mullions. These buildings are all considered to be 'positive'. Again, these properties, and the buildings in Trevor Road and Benslow Lane, should be afforded greater protection. Consequently, an Article 4 Direction is proposed.

Further to comments made in the above paragraph an Article 4(2) is in place that covers.

Town & Country Planning (General Permitted Development) Order 1995 as amended - permitted development being withdrawn

In respect of land described in the Second Schedule

Part 1

Class A

Class A

The enlargement, improvement or other alteration of a dwellinghouse where any part of the enlargement, improvement or other alteration would front a highway.

Being development comprised within Class A of Part 1 of Schedule 2 of the said Order and not being development comprised within any other class.

The character of the area is predominantly traditional in architectural style and materials. Windows are predominantly sash and in timber.

The replacement windows installed at number 19 Benslow Lane although a good replica in style an opening method are in upvc.

The introduction of the Article 4 is in place to prevent any alteration that would affect the character of the conservation which would include the loss of traditional materials that make a strong contribution to the character of conservation areas.

The character of Benslow Lane and neighbouring roads have strong historic links to the railways arriving in Hitchin. There is group value associated with these terraces and any change in materials is considered to have a detrimental effect on that character and value. This alteration is not considered to make a positive contribution to the conservation area. There is considered to be harm which in this case cannot be offset by any public benefit.

For these reasons the application to seek approval to retain the replacement windows and doors is not supported.

Site Context:

[Please see summary paragraph.](#)

DETAILED ANALYSIS AND CONSIDERATIONS:

[Please see summary above.](#)

HERITAGE POLICY ASSESSMENT:

Planning (Listed Building and Conservation Areas) Act 1990:

North Hertfordshire Local Plan 2011-2031:

NPPF (December 2024):

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 paragraph numbers at Section 16 of the July 2021 version of the NPPF have been changed as follows:

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.....

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

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.**"*

CONCLUSION:

[Please summary section above.](#)

OFFICER: Tricia Craggs

DATE: 13.5.2026