

**WELWYN HATFIELD BOROUGH COUNCIL  
ASSISTANT DIRECTOR (PLANNING)**

**DELEGATED APPLICATION**

**Application No:** 6/2022/2478/LB  
**Location:** 44 Fore Street Hatfield AI9 5AH  
**Proposal:** Replacement of 8 x rear facing windows and provision of 2 extractor vents at the rear of the site  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Granted

6/2022/2478/LB

<b>Context</b>	
<b>Site and Application description</b>	<p>The application dwelling forms the easternmost part of a Grade II listed building listed as “<i>Part of The Eight Bells Public House, 44 and 46, Fore Street</i>”. The building has a late eighteenth century brick frontage and has a former shopfront at the ground floor and sash windows above.</p> <p>The application site is located within the Old Hatfield Conservation Area.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>CA - Conservation Area: HATF; - Distance: 0</p> <p>LBC - LISTED BUILDING Large house of early C18. Now house and office. - Distance: 10.57</p> <p>LBC - LISTED BUILDING House. C17 and earlier timber frame, 1 bay wide. - Distance: 13.59</p> <p>LBC - LISTED BUILDING House (formerly a pair known as Nos 15 and 17). - Distance: 16.47</p> <p>LBC - LISTED BUILDING House. Mid-late C18. Painted brick. Slate - Distance: 27.87</p> <p>LBC - LISTED BUILDING House, formerly butchers shop. Early C19. - Distance: 35.18</p> <p>LBC - LISTED BUILDING House. Late C17 painted brick front, probably to - Distance: 41.43</p> <p>LBC - LISTED BUILDING House. Late C18, but with earlier timberframed - Distance: 49.14</p> <p>LBC - LISTED BUILDING Terrace of houses. C18 red brick casing, prob. - Distance: 11.63</p> <p>LBC - LISTED BUILDING Also included 15/196. - Distance: 0</p> <p>LBC - LISTED BUILDING House pair, left one now part of public house. - Distance: 0</p> <p>LBC - LISTED BUILDING Formerly the Rose &amp; Crown Inn. Prob C15. Timber - Distance: 0.02</p> <p>LBC - LISTED BUILDING House and shop. Prob C17 timber frame. Late C19 - Distance: 10.02</p> <p>LBC - LISTED BUILDING House. Early C19 red brick front to earlier - Distance: 19.09</p> <p>LBC - LISTED BUILDING House. Late C18 or early C19 red brick front. - Distance: 29.2</p> <p>LBC - LISTED BUILDING House pair. Red brick front, prob Late C18. C17 - Distance: 45.62</p>

	<p>LBC - LISTED BUILDING Houses and shop. C17 timbr frame. Long range - Distance: 16.16  LBC - LISTED BUILDING House. C15 probable origin. A timber framed hall - Distance: 35.99  LBC - NULL Signpost on pavement in front of 2 Park Street, Old Hatfield - Distance: 6.36  PAR - PARISH (HATFIELD) - Distance: 0  Wards - Hatfield East - Distance: 0  A4HD - Article 4 HMO Direction - Distance: 0  HHAA - Hatfield Heritage Assessment Area(Old Hatfield Historic Core CA) - Distance: 0</p>		
<b>Relevant planning history</b>	<p>Application Number: S6/1976/0540/  Decision: Granted  Decision Date: 02 December 1976  Proposal: Change of use of ground floor shop unit to solicitors office  Application Number: S6/1978/0283/  Decision: Granted  Decision Date: 07 September 1978  Proposal: Single storey extension to offices with external staircase to first floor living accommodation  Application Number: S6/1978/0360/LB  Decision: Granted  Decision Date: 07 September 1978  Proposal: Demolition of existing outbuilding</p> <p>Application Number: S6/1992/0202/FP  Decision: Granted  Decision Date: 11 May 1992  Proposal: Erection of fire escape  Application Number: S6/1992/0203/LB  Decision: Granted  Decision Date: 11 May 1992  Proposal: Erection of fire escape  Application Number: S6/1994/0436/FP  Decision: Granted  Decision Date: 08 August 1994  Proposal: Change of use from ground floor office to residential/formation of one single dwelling house  Application Number: S6/1998/0858/LB  Decision: Granted  Decision Date: 26 October 1998  Proposal: Alteration to front elevation, replacing existing windows with three light windows and shutters  Application Number: S6/1998/1156/LB  Decision: Granted  Decision Date: 08 March 1999  Proposal: Alteration to doors and windows to rear elevation, removal of partitions and construction of new staircase</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	Site Notice Display Date: 12 January 2023 Site Notice Expiry Date: 2 February 2023		

	<p>Press Advert Display Date: 21 December 2022  Press Advert Expiry Date: 13 January 2023  Neighbour notification letter</p>
<b>Summary of neighbour responses</b>	None received
<b>Consultees and responses</b>	<p>Conservation Officer – Comment: <i>There are no objections to the granting of listed building consent as the proposed works enhance the special interest and significance of the listed building are considered to be compliant with Chapter 16 of the NPPF and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The works also enhance the significance of the Conservation Area, as per Section 72 of the 1990 Act.</i></p> <p>Hatfield Town Council – <i>no response</i></p>
<b>Relevant Policies</b>	
<input checked="" type="checkbox"/> NPPF Draft Local Plan Policy: SADM15	
<b>Main Issues</b>	
<b>Impact on the character and setting of the listed building and adjoining listed buildings</b>	<p>Section 16 of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have “<i>special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses</i>”.</p> <p>The specific historic environment policies within the National Planning Policy Framework (NPPF) are contained within paragraphs 189-208. Paragraph 197 of the NPPF states:</p> <p><i>‘In determining planning applications, local planning authorities should take account of:</i></p> <ul style="list-style-type: none"> <li>– <i>The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</i></li> <li>– <i>The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</i></li> <li>– <i>The desirability of new development making a positive contribution to local character and distinctiveness’</i></li> </ul> <p>Paragraph 199 of the NPPF outlines that, 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 it should be given. Paragraph 201 of the NPPF states that where proposed development will lead to substantial harm, or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial Paragraph 202 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.</p> <p>Draft Local Plan Policy SADM15 is similar in these aims, where successive</p>

	<p>small-scale changes that lead to a cumulative loss or harm to the significance of the asset or historic environment should be avoided.</p> <p>The proposal is for the replacement of eight rear facing windows and installation of two extractor fans within the rear elevation.</p> <p>The rear windows are all modern replacements of various periods and quality with no windows of significance in the rear elevation. The proposed replacement windows have traditionally detailed timber frames and double-glazed units. As per Historic England's guidance on <i>Traditional Windows: their care, repair and upgrading</i> (2017) the replacement of modern, poorly detailed windows with traditional well detailed double-glazed windows is acceptable as the improvements in the design and detailing of the windows enhance the appearance of the building.</p> <p>The submitted information shows flush fitting side hung painted wood casement windows proposed for all windows with the exception of the second-floor window serving the bathroom window (annotated as window 1) which would be a sliding sash window. The windows are traditionally designed without trickle vents and the double-glazing units would be approximately 15mm in thickness and will improve the sound and thermal insulation. Submitted details also show integral glazing spacer bars with a putty finish. The spacer bars and glazing putty should be white to improve the appearance of the windows. Materials of the development can be secured by condition.</p> <p>Two extractor vents are proposed to be installed at first and second floor level on the rear elevation. The proposed extractor fans would result in minor loss of historic fabric.</p> <p>The proposed works would enhance the special interest and significance of the listed building and are considered to be compliant with Chapter 16 of the NPPF and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The works also enhance the significance of the Conservation Area, as per Section 72 of the 1990 Act.</p>
<p><b>Conclusion</b></p>	
<p>Subject to the suggested condition, the proposal would be in accordance with the relevant policies of the Welwyn Hatfield District Plan; the draft Local Plan; the Supplementary Design Guidance; the Planning (Listed Buildings and Conservation Areas) Act; and the National Planning Policy Framework.</p>	

**Conditions:**

1. The approved development shall match the existing window casement in terms of colour with the casements of the windows constructed of timber and the glazing spacer bars and glazing putty shall be white in colour unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework, and to ensure the historic and architectural character and setting of the building is properly maintained, in accordance with the National Planning Policy Framework.

## DRAWING NUMBERS

2. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
		Location plan	28 October 2022
894/01		Replacement windows Rear & Side Elevations: Existing	15 December 2022
894/02		Replacement windows Rear & Side Elevations: Proposed	15 December 2022

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

### **Informatives:**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
4. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

**Determined By:**

Mr Mark Peacock  
13 March 2023