

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

DELEGATED APPLICATION

Application No: 6/2023/2244/LB
Location: Northaw House Coopers Lane Northaw Potters Bar EN6 4NG
Proposal: Replacement of 6 ground floor windows within the northern elevation of Northaw House
Officer: Mr William Myers

Recommendation: Refused

6/2023/2244/LB

Context	
Site and Application description	<p>Northaw House is grade II listed and dates from 1698 (list entry no. 1100970). It is of red brick construction with rendered elevations under a slate mansard roof. The main house is two storeys with attics and a cellar. The original part is formed of the middle five bays, with extensions and additions made throughout the 18th and 19th centuries to enlarge the house. To the north west of the house is an 18th century service wing (now known as the Ballroom Wing) and to the south western corner a three storey Edwardian service block.</p> <p>This application relates to replacement of six existing ground floor windows within the northern elevation of Northaw House and their replacement with six new sash windows.</p>
Constraints	<p>LBC - LISTED BUILDING House, built in 1698, now office. Painted - Distance: 0</p> <p>LBC - LISTED BUILDING Stables. Mid-late C18. Red brick. Hipped slate - Distance: 0</p> <p>NPA - Northaw and Cuffley Neighbourhood Plan Area - Distance: 0</p> <p>SAG - 0 - Distance: 0</p> <p>GB - Green Belt - Distance: 0</p> <p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0</p> <p>Wards - Northaw & Cuffley - Distance: 0</p>
Relevant planning history	<p>Application Number: 6/2019/0217/MAJ</p> <p>Decision: Granted Decision Date: 07 January 2020</p> <p>Proposal: Conversion of Northaw House to form 11 apartments (including refurbishment of existing single caretaker's flat) and underground parking area, the Ballroom Wing to form 2 dwellings, the Stable Block to form 1 dwelling, refurbishment of existing dwelling at Oak Cottage, 3 dwellings within the Walled Garden, 7 dwellings within the Settlement Area, refurbishment of the Walled Garden, refurbishment of access routes and reinstatement of old route,</p>

	<p>provision of hard and soft landscaping, car parking and supporting infrastructure</p> <p>Application Number: 6/2019/0218/LB Decision: Granted Decision Date: 10 January 2020</p> <p>Proposal: Conversion of Northaw House to form 11 apartments (including refurbishment of existing single caretaker's flat) and underground parking area, the Ballroom Wing to form 2 dwellings, the Stable Block to form 1 dwelling, refurbishment of existing dwelling at Oak Cottage, 3 dwellings within the Walled Garden, 7 dwellings within the Settlement Area, refurbishment of the Walled Garden, refurbishment of access routes and reinstatement of old route, provision of hard and soft landscaping, car parking and supporting infrastructure</p> <p>Application Number: 6/2021/2191/VAR Decision: Granted Decision Date: 10 September 2021</p> <p>Proposal: Variation of condition 4 (drawing numbers), on Listed Building Consent 6/2019/0218/LB</p> <p>Application Number: 6/2021/3423/VAR Decision: Granted Decision Date: 10 February 2022</p> <p>Proposal: Variation of condition 1 and 2 (amendment of wording of previously approved application) and condition 4 (change list of approved drawings) on planning permission 6/2019/0218/LB</p> <p>Application Number: 6/2022/1078/COND Decision: Refused Decision Date: 20 June 2022</p> <p>Proposal: Submission of details pursuant of Condition 1 (Construction/Repair Method Statement), Condition 2 (Window and Door Details) and Condition 3 (Materials) on planning permission 6/2020/0930/VAR</p> <p>Application Number: 6/2022/1692/COND Decision: Refused Decision Date: 12 September 2022</p> <p>Proposal: Submission of details pursuant to condition number 19 (location, design and specification of refuse bin and recycling materials storage bins and areas to serve the residential units), on planning permission 6/2019/0217/MAJ</p> <p>Application Number: 6/2022/1563/COND Decision: Granted Decision Date: 30 September 2022</p> <p>Proposal: Submission of details pursuant of condition 9 (landscape and ecology) on planning permission 6/2019/0217/MAJ</p> <p>Application Number: 6/2022/2184/COND Decision: Granted Decision Date: 09 December 2022</p>
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	<p>Proposal: Submission of details pursuant to condition number 19 (location, design and specification of refuse bin and recycling materials storage bins and areas to serve the residential units), on planning permission 6/2019/0217/MAJ</p> <p>Application Number: 6/2022/2039/COND</p> <p>Decision: Granted Decision Date: 19 May 2023</p> <p>Proposal: Submission of details pursuant of Condition 1 (Construction/Repair Method Statement), Condition 2 (Window and Door Details) and Condition 3 (Materials) on planning permission 6/2020/0930/VAR</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	<p>Site Notice Display Date: 29 November 2023</p> <p>Site Notice Expiry Date: 20 December 2023</p> <p>Press Advert Display Date: 22 November 2023</p> <p>Press Advert Expiry Date: 13 December 2023</p>		
Summary of neighbour responses	None		
Consultees and responses	<p>Conservation Officer – Objection</p> <p>HCC Hertfordshire County Council – No comments</p> <p>Northaw & Cuffley Parish Council – No comments</p> <p>Historic England – Commented that they have no comments.</p> <p>Joint Committee of the National Amenity Societies – No Comments</p>		
Relevant Policies and Guidance			
Planning (Listed Buildings and Conservation Areas) Act 1990			
National Planning Policy Framework 2023			
The Welwyn Hatfield Borough Council Local Plan 2016-2036:			
<ul style="list-style-type: none"> SADM15 Heritage 			
Planning Guidance:			
<ul style="list-style-type: none"> Planning Practice Guidance 			
Main Issues			
Impact on the character and setting of the listed building and adjoining listed buildings	<p>Section 16 of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that the local planning authority shall have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The specific historic environment policies within the NPPF are contained within paragraphs 195-214. Paragraph 203 of the NPPF, ‘In determining planning applications, local planning authorities should take account of:</p> <p style="text-align: center;">The desirability of sustaining and enhancing the significance of heritage</p>		

assets and putting them to viable uses consistent with their conservation;

The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

The desirability of new development making a positive contribution to local character and distinctiveness'

Paragraph 205 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 207 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 208 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. Policy SADM15 of the Local Plan is consistent with the approach found within the NPPF.

It is evident that the property was substantially extended in the eighteenth or early nineteenth century (at least by 1805 as shown through the engraving) and the alterations to the northern elevation windows are likely part of this construction phase, therefore forming part of the buildings legible phasing and chronology. The fact that the listed building has extensions and alterations from different periods contributes to its architectural and archaeological interest as it demonstrates how the building evolved over time. The extensions and alterations have clear evidential value which enhances our understanding of the property's phasing, changing fashions and the changing needs/ aspirations of the owners over time.

Removing the existing windows at ground floor and replacing them with sash windows would create a false arrangement. Whilst there may have been sash windows at some point, it is clear from the evidence, that this was before the later extensions and alterations. The sash windows on the northern elevation may have never existed alongside the subsequent eighteenth/ early nineteenth century extensions; Reinstating an earlier window design would create a potentially inaccurate composition that never existed. This would detract from the architectural and archaeological interest of the listed building.

As demonstrated within this application, the windows have existed in this composition since at least the early nineteenth century and therefore make a positive contribution to the significance of the listed building.

Taking the above into consideration, even if the existing windows do not date from the early nineteenth century and are later replacements, they accurately follow the pattern and design of those seen in the 1805 engraving, therefore making a positive contribution to the significance of the listed building. The proposal would result in the complete loss of these windows which are considered to be positive, and the replacement windows would not be accurate copies. This would detract from the architectural and archaeological significance of the listed building.

	<p>The proposals would therefore fail to preserve the special interest of the listed building, contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 and they would cause 'less than substantial' harm to the significance and character of the listed building. As it is considered, for reasons discussed above, that there is a no 'clear and convincing' justification for this harm or public benefits which outweigh this harm, the proposals do not accord with the requirements of paragraph 206 or paragraph 208 of the NPPF.</p> <p>The proposals would therefore be contrary to Policy SADM15 of the Welwyn Hatfield Local Plan; the Planning (Listed Buildings and Conservation Areas) Act 1990; and the National Planning Policy Framework.</p>
Conclusion	
<p>The proposed development would materially harm the character and significance of the Grade II Listed Building and whilst this is less than substantial harm, there are no apparent public benefits which would outweigh the harm on the character and significance of this designated heritage asset. The proposal is therefore contrary to the above relevant policies.</p>	

Reasons for Refusal:

1. The proposed development would materially harm the significance and character of the Grade II Listed Buildings and whilst this is considered to result in less than substantial harm, public benefits to outweigh the identified harm do not exist. As such the proposal is contrary to SADM15 of the Local Plan; National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
77		Block Plan and Floor Plan	6 November 2023
78/A	A	Proposed Joinery Details	6 November 2023
SL00		Site Location Plan	6 November 2023
75		Existing North Elevation	6 November 2023
76		Proposed North Elevation	10 November 2023

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).

Determined By:

Mr Ganesh Gnanamoorthy
4 January 2024