

REPORT FOR INDEPENDENT INSPECTOR

Comments on the Appellant's Statement of Case

23 Field Lane, Letchworth Garden City

1. INTRODUCTION

- 1.1 The Appellant's Statement of Case is detailed. Please see my responses where relevant below.

2. THE PROPOSALS

- 2.2 The character of the Letchworth Garden City Conservation Area is not relevant to these proposals. Please see section 5 for more details.

3. HERITAGE FOUNDATION REASONS FOR REFUSAL

- 3.1 These are standard refusal letter and approval documentation.

4. PLANNING HISTORY

- 4.0 This section is also not relevant.

5. POLICY FRAMEWORK

- 5.2 This is the crux of the matter. The HF have to balance the significance and important character of Field Lane alongside the requirement for new modern and emerging technologies to offset climate change.

The Design Principles have since been further updated in November 2022. A copy of which is attached to the HF's Statement of Case.

- 5.3-5.6 This is taken from the launch for the new Modern Character Area Design Principles and the image is of a property located in the Modern Character Area where PV panels are allowed on all elevations.

- 5.7-5.8 This section is not relevant to the appeal to the Independent Inspector. The application is to be considered under the Leasehold Reform Act 1967 and the Scheme of Management. The Planning history, planning policy and heritage asset information is not relevant or considered within the Landlord Consent process.

- 5.9 Comments on the photographs that have been referenced
- subject of an ongoing enforcement case
 - this is a commercial building and not subject to the Heritage Character Area Design Principles –
 - had an historic array which was recently replaced and sits on the rear roofline of the property. This corner plot causes challenges as the roofline is visible from Icknield Way and The Quadrant. To not be unreasonable, the HF considered the replacement as acceptable as they are located on a rear roof slope.
 - is an historic array which informed the decision to not have PV arrays on front elevations.

- 5.12-5.20 National Planning Policy, and North Herts District Council Policy LP58 - These sections are not relevant to the appeal to the Independent Inspector. The application is to be considered under the Leasehold Reform Act 1967 and the Scheme of Management. The Planning history, planning policy and heritage asset information is not relevant or considered within the Landlord Consent process.
- 5.15-5.19 The Letchworth Strategic Plan again reaffirms the balance that the HF have to make between old and new. The HF are embracing new technologies and are aware of emerging technologies that will assist with this difficult balance.

6. The APPEAL SITE AND ITS CONTEXT

- 6.2 There is no duty placed on the HF to protect or enhance heritage assets.
- 6.6-6.7 The HF by Historic England nor the fact that the property is located within Letchworth Garden City Conservation Area.
- 6.15 Field Lane was developed in the 1920s with most properties dating from the period 1925-6. It is at the core of the Heritage Character Area and still an early form of development only 10 years after the Garden City was first established.
- 6.17 The HF are not bound by LVIA guidance.

7. RESPONSE TO REASONS FOR REFUSAL

- 7.5-7.6 The impact of the proposed PV array would be visible from the public realm and not only from first floor windows.
- 7.9 This paragraph is not relevant to the legislative framework under which the Scheme of Management operates.
- 7.12-13 The HF have to consider the cumulative impact if all south facing side roof planes are covered in PV arrays. Incremental small changes can and do cause harm to the overriding appearance of the Garden City.

8. NEIGHBOUR CONSULTATION

- 8.1 The HF consulted neighbours at , , and Field Lane. There were no neighbour comments submitted to the HF. The local Council is not consulted on applications.

9. CONCLUSION

- 9.2 Two images have been submitted without any further information. Having carried out some research, these elements have been in situ since at least 2005 and as such are contrary to the current Design Principles. When these features are replaced, an application will be required and the works will need to accord with the relevant Design Principle.
- 9.4 x2 The HF have been reasonable in allowing a significant amount of PV panels to this property. The additional array to the front gable would cause significant harm to the Heritage Character Area and set an uncomfortable precedent which would significantly damage the Heritage areas of the Garden City .