

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

26/00150/FPH

Erection of detached annexe for
ancillary use to the main dwellinghouse.

9 Pinnocks Lane
Baldock
Hertfordshire
SG7 6DL

Submitted Plan Nos

A 03 A 01 A 02 A 04 A 05

1.0 Policies

HS6

Relatives and dependents accommodation

D1

Sustainable design

D2 House exts, replcmnt dwellings outbuild

D3 Protecting living conditions

HE4 Archaeology

SECN12 Achieving well-designed places

2.0 **Site History**

2.1 **26/00151/LDCP** - Use of the land to site a mobile home for ancillary use to the main dwellinghouse.

Granted

3.0 **Representations**

3.1 **Neighbour Representations** – Comments received from 7 Pinnocks Lane, objecting to the proposal on the following grounds (summary):

- The annexe is too large and not visibly subordinate to the main house and the layout and two-bedroom design contradict the stated intention of single-occupant ancillary use.
- The height and proximity to the shared boundary would harm light, outlook and privacy
- Windows and doors face this neighbour directly, causing overlooking and potential light pollution.
- Several design changes are requested to reduce impact of the development (reorientation, reduced height/length, obscure glazing, screening).
- The scale and independence of the annexe raise doubts about compliance with Policy HS6. The proposal appears capable of functioning as a standalone dwelling rather than ancillary accommodation.
- The annexe's distance from the house makes future reintegration unrealistic.
- Queries whether the annexe exceeds what is normally acceptable as an extension under HS6(c).
- There may be a tree within falling distance that the application does not acknowledge.
- Removal of an existing shed may require new boundary treatment to protect amenity.

- Concludes with specific clarifications or amendments that are requested, including footprint reduction and occupancy restriction. If approved, a permanent ancillary-use condition is recommended.

3.2 **Baldock, Bygrave And Clothall Neighbourhood Group** – None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a semi-detached dwelling located on the west side of Pinnocks Lane, Baldock. The site benefits from a narrow, long garden leading to a wider piece of land with hardstanding on it. The site is within a residential area. The property is also within an Archaeological Area.

4.2 **Proposal**

4.2.1 Planning Permission is sought for the erection of detached annexe for ancillary use to the main dwellinghouse.

4.3 **Key Issues**

4.3.1 **Principle:** The proposal is for a detached annexe for ancillary use to the main dwellinghouse, for an elderly relative of the applicant/owner of the host dwelling.

4.3.2 Policy HS6 of the Local Plan supports the provision of accommodation for relatives or dependants stating that:

“Planning permission for relatives’ and dependents’ accommodation formed by the adaptation or extension of the main dwelling will be permitted provided that:

- a) a genuine need for the accommodation is demonstrated;*
- b) the annex is subordinate to the main dwelling and designed in such a way that it can be easily (re-)incorporated into the main house if use as an annex ceases;*
- c) any development would not exceed the size of extensions that would otherwise normally be acceptable; and*
- d) the occupation of the accommodation is restricted by condition.*

Free standing annexes will be allowed where the above criteria are met, and it can be demonstrated that adaptation or extension of the main house is not possible”.

4.3.3 The proposed annexe is to be located within the established residential curtilage and there is no separate access, curtilage, or parking provision proposed, ensuring that the accommodation remains clearly dependent on and associated with the primary dwelling. A genuine need has been demonstrated, as this is proposed for the applicant's mother and is supported by the submitted statement. Given the on-site conditions/constraints and existing extensions at the host dwelling, it is considered that further extensions to the dwelling will not be possible to accommodate this need. Indeed, this is the rationale behind this proposed free-standing annexe at the very rear of the garden. In terms of its scale, the proposal would measure 12.0m long and be 4.55m wide, with a dual-pitched roof measuring approx. 2.9m to eaves and 4.5m to ridge. Dealing with similar applications in the past, whilst this does appear to be on the larger side compared to other mobile home proposals, this scheme would be identical to that already approved at this site under the LDC (to be considered later). The on-site conditions are such that the immediate rear garden is quite narrow and then for this

property, the garden widens in both directions where there is an area of hardstanding. The proposal would be sited in this location essentially on this hardstanding area, which is considered acceptable. Any permission would be subject to a condition that the occupation of the mobile home must be for ancillary purposes, such that the dwelling cannot be used as a separate self-contained dwelling.

- 4.3.4 As already noted, there is a weighty material consideration in this instance, in the form of the lawful fallback position of the recently granted Lawful Development Certificate under ref: 26/00151/LDCP for the use of the land to site a mobile home for ancillary use to the main dwellinghouse. This type of application is common for mobile home/caravan proposals, where no consultation is required as the proposal is dealt with under the Caravans Act instead of the Local Development Plan to establish that there is no change of use and that the proposal would not result in operational development. This position is supported by numerous appeal decisions and case law, and the Council have granted several applications on this basis (see 23/00112/LDCP, 24/00919/LDCP, 25/03075/LDCP for example). This proposed mobile home is identical in position, scale and appearance, as well as purpose, such that there is no objection in principle. As stated, a condition will be enforced on this decision that seeks to ensure this annexe remains ancillary to the host dwelling and does not become a self-contained dwelling.
- 4.3.5 **Design:** The proposal is for the erection of a detached annexe. The building is single storey in form, is to be 12.0m long, 4.55m wide and would have an internal ceiling height of 3.0m, with a simple pitched roof profile, ensuring that it remains visually subordinate to the main dwelling. The proposal would be finished in light grey fibre cement lap weatherboard cladding, dark grey calderdale pitched roof, and white PVCu windows and doors. The position of the building in the rear part of the garden, its external appearance with high quality materials, and single-storey massing are all considered acceptable, especially in light of the lawful fallback position under ref: 26/00151/LDCP. Whilst the comments and concerns of the immediate neighbour are noted insofar as they relate to the scale, design and external appearance of the proposed mobile home, it would be unreasonable to seek the kind of amendments recommended in light of the valid fallback position which is identical in scale/external appearance and can be implemented. The proposal would therefore comply with Policy D1 and D2 of the Local Plan.
- 4.3.6 **Heritage:** The site is within an Archaeological Area. Owing to the nature of the development which will not see any foundations dug, merely siting the mobile home on top of existing hardstanding, there are no objections or concerns in this instance and a full WSI is not reasonable in this instance. However, given that this is a site in Baldock which has a rich archaeological history and the scheme will see some groundworks for services, a precautionary archaeological condition will be recommended instead which is proportional to the scale of development in this instance. This would accord with Policy HE4 of the Local Plan.
- 4.3.7 **Impact on neighbours:** The site benefits from neighbours on all sides, the closest of those being the recently converted flats to the west, 71a High Street to the north-west and the other properties on Pinnocks Lane and The Tene due north and east.
- 4.3.8 The comments and concerns raised by the immediate neighbour at No.7 Pinnocks Lane are noted, and they do raise valid material considerations in this instance relating to perceived harm to privacy, loss of light/light pollution, and outlook. It is accepted that the proposed annexe would have windows/doors facing towards Pinnocks Lane, so there will be some increased overlooking abilities. However, owing to the existing boundary treatment and the outbuilding in the garden of No.7, it is considered that the

single storey scale of the proposal will not result in adverse levels of overlooking or light pollution. Outlook is not a protected benefit in the planning process. Notwithstanding the above, Officers do again have to acknowledge the lawful fallback position granted under ref: 26/00151/LDCP, where under such an application there is no requirement to consider the impact of development on the amenity of neighbours, a point well established at appeal and through case law. The scheme granted under the LDC has identical scale, position and window placement, such that it would be unreasonable to object to the development on such grounds or request amendments in this context.

- 4.3.9 The scale and orientation of the building is such that it will not result in any material loss of daylight or sunlight to adjacent properties. Moreover, it is considered that the proposed use of the annexe as accommodation for a relative does not introduce a level of activity beyond that typically associated with a domestic garden outbuilding. As such, it is considered that the development will not result in any adverse impacts on the reasonable living conditions and well-being of these neighbours in respect of overdominance, loss of privacy and loss of daylight/sunlight, especially with the lawful fallback position in mind. The proposal complies with Policy D3 of the Local Plan.

- 4.3.10 **BNG:** Exempt from BNG requirements.

4.4 **Conclusion**

- 4.4.1 The development would be in accordance with the relevant local and national planning policies.

4.5 **Alternative Options**

- 4.5.1 None applicable

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse known as 9 Pinnocks Lane.

Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties and to comply with Policy HS6 of the North Hertfordshire Local Plan 2011 to 2031.

4. If during the commencement of development hereby approved, any artefacts of archaeological interest are uncovered on site, all construction will cease and the applicant will make contact with the Local Planning Authority and County Council LEADS Department to consider reasonable next steps, including a site visit and further provisions should this be deemed necessary.

Reason: The site lies within an area where there is potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted and to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 10 March 2026	