

# Appeal Statement – 68 Chiltern Road, Baldock

## Background Information

**Appellant:** Laura Leeson

**Address:** 68 Chiltern Road, Baldock, Hertfordshire, SG7 6LS

**Proposed Development:** *Hip to gable roof extension to include insertion of rooflights to front roofslope and insertion of box dormer to rear roofslope to facilitate conversion of loftspace into habitable accommodation. Erection of single storey side and rear extension and front entrance porch. Alterations to fenestration and external materials, insertion of coursing to side gable wall at eaves level, formation of rear access steps and provision of two parking spaces at front, following demolition of existing detached garage.*

**Application Reference Number:** 24/01489/FPH

**Date of Decision:** Thursday 14<sup>th</sup> October 2024

### Reason for Refusal:

- 1) *The proposed alterations to the host dwelling, by virtue of their contemporary form and appearance, would not be sympathetic to the traditional character and appearance of the existing property and the wider area, such that the development does not respond positively to the site's local context. Therefore, the proposed development is considered contrary to Policies D1, D2 of the Local Plan, as well as section 12 of the NPPF.*

## Site Description

68 Chiltern Road is one of a pair of semi-detached two storey dwellings located on the west side of Chiltern Road within a residential part of Baldock. The property was constructed in the 1930s and the wider street scene is reflective of properties of from this period. While the building height along the street is relatively uniform, the front building comprises a mix of a mix of flat frontages, bay window frontages and front porch extensions reflecting small scale extensions that have taken place over time.

Properties in the immediate vicinity display front gardens or front parking areas with some properties benefiting from side parking space. Chiltern Road does not feature any parking restrictions.

## Planning History

### **Application reference - 24/01489/FPH – this is the subject of this appeal.**

Description of development –

*Hip to gable roof extension to include insertion of rooflights to front roofslope and insertion of box dormer to rear roofslope to facilitate conversion of loftspace into habitable accommodation. Erection of single storey side and rear extension and front entrance porch. Alterations to fenestration and external materials, insertion of coursing to side gable wall at eaves level, formation of rear access steps and provision of two parking spaces at front, following demolition of existing detached garage.*

Date and decision – 14<sup>th</sup> October 2024 – refused

Reason for refusal –

- 1. The proposed alterations to the host dwelling, by virtue of their contemporary form and appearance, would not be sympathetic to the traditional character and appearance of the existing property and the wider area, such that the development does not respond positively to the site's local context. Therefore, the proposed development is considered contrary to Policies D1, D2 of the Local Plan, as well as section 12 of the NPPF.*

### **Application reference - 24/00610/FPH**

Description of development –

*Hip to gable roof extension to include insertion of rooflights to front roofslope and insertion of box dormer to rear roofslope to facilitate conversion of loftspace into habitable accommodation. Erection of single storey side and rear extension and front entrance porch. Alterations to fenestration, insertion of coursing to side gable wall at eaves level and formation of rear access steps following demolition of existing detached garage.*

Date and decision – 5<sup>th</sup> May 2024 – refused

Reasons for refusal –

- 1. The proposed alterations to the host dwelling, by virtue of their contemporary design and the use of modern materials, would not be sympathetic to the traditional character and appearance of the existing property and the wider area, such that the development does not responded positively to the site's local context. Therefore, the proposed development is considered contrary to Policies D1, D2 of the Local Plan, as well as section 12 of the NPPF*

2. *The proposed rear extension, by reason of its design, height and depth, would result in an unacceptable overbearing impact upon the occupiers of the adjoining neighbouring property and possibly create a vantage point for overlooking and would therefore, fail to comply with Policy D3 of the North Hertfordshire Local Plan 2011-2031 and the core principles set out within the National Planning Policy Framework (2021).*
3. *The proposal would result in the loss of the existing driveway and access to rear garage serving this dwelling and consequently the property would not meet the Council's adopted parking standards as set out at Appendix 4 of the adopted North Hertfordshire Local Plan 2011-2031, which requires a minimum of 2 parking spaces. The applicant has not demonstrated that the accessibility, type, scale mix and use of the development; the availability of opportunities for public transport; local car ownership levels; and on-street conditions justify the loss of existing parking provision. Therefore, the proposal would be contrary to Policy T2 of the adopted Local Plan.*

## Proposed Development

68 Chiltern Road was purchased in a state of disrepair. Externally the property had been neglected and was overgrown. Internally, the property was uninhabitable with no working lights or boiler and in very poor condition.

This planning application has been submitted to support a deep retrofit that is being undertaken on the property in order to bring uninhabitable housing stock back to be fit for purpose and to be done in a sustainable and environmentally way to future proof the property for continued occupation.

The proposal involves the installation of rooflights and a rear box dormer window to enable habitation in the roof. A side and rear extension to provide additional space for the property and to replicate the massing of properties along Chiltern Road, that significant majority of which have already been extended. The demolition of the rear garage and installation of rear access steps to the extension.

The renovation works follow the Passivhaus Planning Package (PHPP) to create a near EnerPhit-certified property and would bring the EPC rating up from EPC E to EPC A. The proposed additions would make the house one of the most energy-efficient homes in North Hertfordshire and an exemplary example of deep retrofit.

The property can be viewed on its right move listing. Note there are no internal photos due the condition it was in:

[https://www.rightmove.co.uk/properties/142360604#/?channel=RES\\_BUY](https://www.rightmove.co.uk/properties/142360604#/?channel=RES_BUY)

## Relevant Planning Policy

Key planning policy documents and relevant policies are:

### **North Herts Local Plan 2011-2031 Local Plan and Proposals Map**

- SP1: Sustainable development in North Hertfordshire
- SP2: Settlement Hierarchy and Spatial Distribution
- T2: Parking
- D1: Sustainable design
- D2: House extensions, replacement dwellings and outbuildings
- D3: Protecting living conditions.

### **Baldock, Bygrave and Clothall Neighbourhood Plan – Made June 2021**

- Policy G3 Creating well-designed places
- Policy G4 Sustainable design

### **North Herts Sustainability SPD September 2024**

### **North Herts Design SPD 2011**

### **National Planning Policy Framework (NPPF)**

- Section 2 Achieving Sustainable Development
- Section 12 Requiring good design
- Section 14 Meeting the challenge of climate change, flooding and coastal change

## Case Against Reasons for Refusal

The application has been refused on a single reason for refusal as noted below:

- 1. The proposed alterations to the host dwelling, by virtue of their contemporary form and appearance, would not be sympathetic to the traditional character and appearance of the existing property and the wider area, such that the development does not respond positively to the site's local context. Therefore, the proposed development is considered contrary to Policies D1, D2 of the Local Plan, as well as section 12 of the NPPF.*

Taking each Policy in turn, Policy D1 requires development proposals to respond positively to the site's local context.

The property is not located within an area of any clearly recognisable or traditional character. Properties along Chiltern Road have been extended and altered significantly over the period since construction nor is the area defined by any Design Code. This is evidence by the fact that the street scene along Chiltern Road is varied and displays a number of flat roof extensions as well as hipped roof.

The proposal ensures that the scale and mass of the property would remain in keeping with the wider area but seeks to bring forward a positive response to a dilapidated property and create a dwelling that is fit for habitation.

Policy D1 also encourages new developments to take all reasonable opportunities to reduce energy consumption and waste. This proposal moves away from the use of render, which is a carbon intense building material, and promotes sustainable forms of construction and materials in line with Policy D1.

It was stated at the planning committee meeting by the planning officer that the proposal could achieve the same level of sustainability while making the property look the same as the neighbouring properties, with render and a sloped roof extension. This assertion has not been backed up with any evidence, is speculative and incorrect.

Having carried out a carbon impact assessment on the cladding alone using the BRE's data, the use of render instead of timber on the exterior of the proposed ground floor extension would account for an additional 14 tons of embodied carbon. Moreover, timber allows for reduced maintenance using oils as opposed to paints.

The use of a flat roof is essential to the design within the Passivhaus standard, the flat roof reduces the internal volume and external envelope, reducing the heat loss area, thus reducing the heat demand within the property. Increasing the volume would increase the size of our heat pump and power requirements. A pitched roof would not align with the

principles of the design in this case. This theory is backed up and suggested in the North Hertfordshire's Sustainability SPD.

Policy D2 states that extensions should be granted where the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials and the orientation of the main dwelling.

The proposal uses high-quality materials which are key to responding positively to the local context. Whilst the proposed extension is a different colour from the rest of the extensions in the street, it will positively contribute to and enhance the already diverse street scene. It should be highlighted that the roofline is the predominant prevailing feature of Chiltern Road and this is remaining unaffected by this proposal.

Section 12 Paragraph 135 of the NPPF states developments should be visually attractive. The proposal is sleek, eliminating unsightly fascia boards and guttering, it is good well-thought-out architecture. Mimicking the footprint of other extensions within the street.

Timber is used on many buildings locally, including featuring on many houses within a new development at the end of the street. A number of precedent images of the use of timber cladding have been included in Appendix A.

As noted above, there is no specific design code that is applicable to this area. The proposed design has been developed to facilitate the energy efficiency measures the deep retrofit aims to achieved. The proposed design is not considered to result in any discernible level of visual harm to the wider area and as such, should be viewed with a presumption in favour of development.

It is noted that from the Committee Report, the Officer contends that the rear elevation of black timber cladding would not reflect the traditional setting of the dwelling. It has already been described that the property is in a state of disrepair and has no significant amenity value. Rear elevations of properties along Chiltern Road are varied with residents afforded the ability to construct extensions under Permitted Development right. The use of black timber cladding would introduce a high quality material that would significantly improve the visual appearance of the property and would not result in the loss of any traditional features.

In regard to the front and side elevations, it is recognised that a more sympathetic response is needed given the extension is more visible from the street scene. Therefore, the ice grey colour palette has been used which would again represent a significant improvement upon the neglected façade that is currently present. The use of this colour of material was proposed following the previous refusal on the scheme (Application ref. 24/00610/FPH) and from an Officer recommendation to use grey coloured cladding.

The proposal is not considered to conflict with Policy D1, D2 of Section 12 of the NPPF and indeed demonstrates areas of not only conformity but best practice in regard to promoting energy efficiency. It is therefore not considered that there be any reason to propose refusal on these grounds.

## Other material considerations

### **Scale, massing and amenity**

It is recognised that the previous application (24/00610/FPH) was considered to be overbearing in terms of its scale. This has been suitably addressed through this revised application which is recognised through the Officers Committee Report. The scale and massing of the proposal is considered to be suitable and in accordance with planning policy.

Moreover, it should be noted that no resident objections have been received to the proposals and engagement has been carried out with the neighbouring properties.

### **Parking**

It is also recognised that the previous application (24/00610/FPH ) was considered to be contrary to Policy T2 of the Local Plan. Again, this has been suitably addressed in this revised application as acknowledged in the Offers Committee Report.

The existing garage is not suitable for a modern vehicle and its removal would have no material impact on the level of parking provision afforded to the property.

### **Sustainable development**

It has been evidenced through this application that the proposal would constitute an exemplary development in regard to sustainable design and construction.

The proposal has been designed to Passivhaus principles and follows guidance within the North Herts Sustainability SPD – Section 1 – Paragraph 1.19. A flat roof structure is used to reduce the surface area of the extension and timber is used to make it more appealing and differentiate itself from the existing building.

To ensure that operational carbon is minimised, the volume of the building has been kept low by utilising flat roofs, and as part of the sustainability plan, MVHR, airtightness membrane, triple glazed windows, heat pump, electric cooking and above-building regulations insulation levels are all utilised in line with the sustainability SPD - Section 3 – Paragraph 3.2

The use of proposed timber cladding is to reduce the embodied carbon and reduce the amount of harmful chemicals used in the upkeep of render which is recognised as a preferred material for North Herts District Council. Timber can be recycled much more easily than brick, block and render.

Paragraph 3.5 suggests the use of low or zero-carbon products and reuse and reduction. Timber is utilised throughout with the use of timber cladding to create a low-carbon

project and as a substitute for concrete-based materials such as render. Actis Hybris insulation is used within the extensions which is a certified 'cradle to cradle' product. Which means that it can be recycled at the end of life.

NPF Section 14 – Mitigating and adapting to climate change is at the heart of the design process for this scheme. Glazing has been reduced to the south elevation and technology has been incorporated to reduce overheating and improve the liveability of the house.

The use of renewable sources of energy has been incorporated into the development through the use of solar panels and battery storage with additional space for solar on the ground floor extension roof. Utilising a flat roof allows the panels to be set at the most efficient angle.

This evidence of how the proposal would constitute a leading example of how to implement sustainable design through a retrofit project is in accordance with North Herts planning policy and are considered to weight strongly in favour of the development. They demonstrate how the proposal represents sustainable development and as such, the presumption in favour of sustainable development, indoctrinated through the NPPF should apply.

### **Permitted Development**

A lot of emphasis has been put on the cladding material of the front elevations, yet under Permitted Development Rights, it would be possible to build a separate bike shed at the side just 60cm lower than proposed and clad it in any material without planning permission. However, the bike store has been integrated into the design for a cohesive look and reducing the visual impact.

The porch, though just 13cm higher than allowed under permitted development, was designed this way to accommodate the high ceilings and insulation needed to meet Passivhaus standards. Using timber cladding ties it cohesively into the design. Choosing a flat roof again minimises embodied carbon and reduces energy use, further supporting our net zero goals. A flat roof could be added under permitted development however it would need to be rendered and therefore not in keeping with the project aims to minimise the embodied carbon footprint.

It is possible to build a flat-roofed timber-clad bike shed in its current position and a contemporary-looking flat-roofed porch under Permitted Development Rights. The only difference on the porch will be that it is clad in white render instead of high-quality timber. This in turn would look more piecemeal and therefore the approach to look at a planning application to encompass everything was considered to be a more holistic and beneficial approach.

We have sought to actively engage with the Planning Authority in seeking approval for what is a high sustainable scheme and to deliver a more encompassing development that slightly exceeds the thresholds for what is allowed under Permitted Development. We would urge pragmatism in the consideration of this appeal for a scheme that is not

significantly beyond what could be undertaken under Permitted Development Rights is any regard.

## Conclusion

In summary, this proposal has been developed to promote a form of development which is exemplary in its approach to sustainable development and energy efficiency. The application has been refused on solely the interpretation that the alterations to what is currently a dilapidated and uninhabitable property, would not be in keeping with a perceived traditional character of the area.

It is considered that through the planning application, and this Appeal Statement, that there is no discernible or recognisable traditional character that would be materially affected by the proposals. The alterations are considered to be a positive response and improvement to what is currently in place. Combined with the significant benefits from the sustainability credentials of the property, it is considered that the resumption in favour of sustainable development should be applied.

We respectfully request therefore that this appeal be allowed and permission granted at your earliest convenience.

## Appendix A – Precedent developments

3 Norton Road – timber used on a porch



5 Norton Road timber used on side viewable from the street – older house







An approved black composite extension within North Herts District – Royston.



Black Shou Sugi Ban Timber cladding shown – a high quality material that adds texture and depth to any build.



Black front door enhanced by the black timber cladding.



*Vertical Cladding on the roof of the George the IV pub on London Road. 338m from the property.*



Timber and metal cladding used in conjunction with render on a development on Woodland Way – less than 200m from our property. Sited closely to existing older properties.

