

DELEGATED FILE NOTE

CASE OFFICER: ...Tabitha Kaye.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01760/FPH	Erection of detached annexe ancillary to main dwelling following demolition of existing shed/greenhouse.	29 Weston Way Baldock Hertfordshire SG7 6EZ

Submitted Plan Nos

Location Plan E3 - Proposed Block Plan P3 - Proposed Floor Plan P4 - Proposed Elevations and Roof Plan

1.0 Policies

D1	Sustainable design
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D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
T2	Parking
NE2	Landscape
NE4	Biodiversity and geological sites
HS6	Relatives and dependents accommodation
SECN5	Meeting the challenge of Climate Change
SECN14	Achieving well-designed places
SECN19	Conserving+enhancing natural environment

2.0 **Relevant Site History**

- 2.1 **26/00328/FPH:** Single storey front extension to existing house and erection of detached annexe to rear garden (amended scheme submitted 01.05.26). **Conditional Permission.**

3.0 **Representations**

3.1 **Neighbour Consultation** – 1 comment received, including: no.27 Weston Way. Comments summarised below:

- Concerns regarding the proximity of the annexe to no.27's tree positioned along the north boundary;
- Concerns regarding overlooking to the north;
- Requested occupancy condition.

3.2 **Baldock, Bygrave and Clothall** – No comments received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site accommodates a semi-detached, two-storey dwelling located on Weston Way, Baldock. The site benefits from front parking provision and a rear garden, which is enclosed by close boarded timber fencing. The site is within the Baldock settlement boundary.

4.1.2 A mature tree within the rear curtilage of no.27 Weston Way is positioned within close proximity to the site's north boundary.

4.2 **Proposal**

4.2.1 Erection of detached annexe ancillary to main dwelling following demolition of existing shed/greenhouse.

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- Principle of development;
- Design and impact on local character;
- Impact on neighbour amenity;
- Highways and parking matters;
- Impact on the environment;
- Biodiversity Net Gain (BNG).

Principle of Development

- 4.3.2 The site is located within the Baldock settlement boundary, where development is generally supported in principle.
- 4.3.3 The application proposes to erect a detached annexe within the rear garden. Policy HS6 of the North Herts Local Plan 2011-2031 (NHLP) outlines the requirements for dependents' accommodation:

"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."

- 4.3.4 The acceptability of an annexe within the rear curtilage of no.29 Weston Way has already been assessed and deemed to be acceptable under the previous permission, 26/00328/FP. The only difference between the present application and the previous permission is that the annexe structure would be wider (additional 0.5m to the north and south). The increase in width would not increase the size of the proposed annexe to the extent that it would appear insubordinate to the host dwelling in relation to criteria (b) and (c). The proposal is therefore acceptable.

Design and Impact on Local Character

- 4.3.5 Policies D1 and D2 of the NHLP require that development proposals respond positively to the site's local context. Policy D2 specifies that extensions to houses should be sympathetic to the main dwelling in terms of scale, form and orientation. These policies are commensurate with Chapter 14 of the NPPF 2026.
- 4.3.6 As discussed above, the only design change proposed (from the annexe structure permitted under 26/00328/FP) would be the increase in width: a 0.5m increase to the north, and a 0.5m increase to the south. The new, overall scale of the proposed annexe would be acceptable. The design and materials are to remain as per 26/00328/FP, which

have already been deemed as acceptable. The proposal therefore accords with Policies D1 and D2 of the NHLP and Chapter 14 of the NPPF 2026.

Impact on Neighbours

- 4.3.7 Policy D3 of the Local Plan permits development that does not result in acceptable harm to the amenity of neighbouring occupiers and encourages the use of mitigation measures where necessary. Policy D3 is generally reflected by the provisions of the NPPF.
- 4.3.8 The revised width of the rear annexe would result in a separation distance of 1.5m between the annexe and the north and south site boundaries. The siting of the annexe to the rear of the garden, and the existing boundary treatments, would still obscure outlook to neighbouring plots. Safeguarding the neighbouring tree sited along the north boundary is discussed under 'Environmental Considerations'. Therefore, the proposed annexe would not have an unacceptable impact on existing residential amenity and therefore accords with Policy D3 of the NHLP.

Highways and Parking

- 4.3.9 The proposal would not hinder the existing parking provision on site and therefore accords with Policy T2 of the NHLP.

Environmental Considerations

- 4.3.10 Policies NE2 and NE4 of the NHLP states that proposals should have regard for the surrounding landscape character and natural environment. The increased width of the annexe would move the structure closer to the north boundary, where a mature tree within the curtilage of no.27 is sited. To ensure that the annexe structure would not harm the root protection area of this tree, a pre-commencement condition for hand-dug foundations with arboriculture supervision has been agreed.
- 4.3.11 Policy D1 of the NHLP outlines the Council's commitment to supporting climate change mitigation. The proposed development is not large enough in scale to cause significant implications for the local environment in terms of carbon emissions and therefore complies with Policy D1 of the NHLP and Chapter 5 of the NPPF.

Biodiversity Net Gain (BNG)

- 4.3.12 This is a form of development which is exempt from BNG Legislation, defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 due it falling under the scope of the 'de minimis' exemption.

4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

4.5 **Alternative Options**

- 4.5.1 None.

4.6 **Pre-Commencement Conditions**

- 4.6.1 A pre-commencement condition to ensure that foundations will be hand-dug with arboriculture supervision has been agreed to safeguard the mature tree situated along the north boundary within the curtilage of no.27 Weston Way.

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 29 Weston Way.

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. Where excavation is required within the root protection area of the neighbouring tree, which is situated within the curtilage of no.27 Weston Way and positioned in close proximity to the north boundary of the site, all works shall be undertaken by hand digging only, or using an approved air-spade methodology, under the supervision of a suitable qualified arboriculturist. Any roots encountered with a diameter greater than 25mm shall be retained and protected in accordance with BS 5837:2012 "Tree in Relation to Design, Demolition and Construction - Recommendations". Details of the proposed excavation methodology and arboricultural supervision shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved measures shall be implemented in full and retained throughout the construction period.

Reason: To safeguard the health, stability, and longevity of the neighbouring tree located within the curtilage of no.27 Weston Way and in close proximity to the north boundary of the site, in accordance with Policies D3, NE2 and NE4 of the NHLP.

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  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 3 September 2026	