

**TOWN & COUNTRY PLANNING ACT 1990
SECTION 78**

APPEAL BY MR & MRS C MORTLOCK

AGAINST THE DECISION OF NORTH HERTFORDSHIRE DISTRICT COUNCIL TO REFUSE PLANNING PERMISSION FOR A TWO STOREY SIDE EXTENSION TO FORM ANCILLARY ANNEXE AND SINGLE STOREY FRONT AND REAR EXTENSIONS FOLLOWING DEMOLITION OF EXISTING GARAGES AND CARPORT. INSTALLATION OF SOLAR PANELS TO SIDE ROOFSLOPE. EXTERNAL CLADDING AND REAR HARD LANDSCAPING WORKS AT

**23 THE ROWANS, BALDOCK,
HERTFORDSHIRE, SG7 6HL**

**LPA REFERENCE
26/01632/FPH**

GROUND OF APPEAL

1.0 THE APPEAL PROPERTY

- 1.1 No 23 The Rowans is a two storey, four bedroom detached dwelling standing at the southern end of The Rowans, within a relatively modern housing estate of similar properties on the south-eastern side of Baldock. No 23 is situated on the south side of a short curved cul-de-sac at the head of The Rowans, as shown on drawing MOR/26/01.
- 1.2 The dwelling lies slightly behind the staggered building line of No 21 and has a single storey double garage set behind the rear wall and an open car port in front of the garage. There is a significant gap to the south-west of No 23, separated from No 27 by substantial tree planting that wraps around the south of the curtilages,
- 1.3 The dwelling is not a listed building nor does it lie within the Baldock Conservation Area.

2.0 RELEVANT PLANNING HISTORY

- 2.1 This application is the second to be submitted this year involving extensions to No 23 The Rowans. The first (Council reference: 26/00228/FPH) was refused for the following reason:

The proposed two storey extension, by reason of its scale and design would result in an unsympathetic bulky addition to the existing dwelling, resulting in a detrimental impact upon the character and appearance of the property and a failure to retain the open character and wider context of the locality. The proposed development would fail to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011-2031 and Section 12 of the NPPF 2024.

- 2.2 It was clear from this decision (and from the case officer's report upon the application) that it was only the two storey side extension which the Council found to be unacceptable. On this basis, and in order to get the comprehensively planned extensions, an appeal was lodged against this decision. After considering the appeal development the Inspector dismissed it. The reasons for the dismissal will be amplified later in this statement. Most importantly however, in the context of any subsequent resubmission, the Inspector opened by stating that No 23's plot size and spacing create an opportunity for a **significant extension** (my emphasis).
- 2.3 The two storey element was not found to be unacceptable in principle. The Inspector however found that the proposal would very substantially increase the house's visual impact. So, having reflected on the decision the applicants addressed the concerns that led the Inspector to conclude that the previous scheme would increase the house's visual impact and submitted this revised application accordingly.
- 2.4 After considering the significant modifications made to the original submission and, to the appellant's surprise, their second application has also been refused. This time for the following reason:

The proposed two storey extension, by reason of its scale, bulk and design, would result in an overly dominant and unsympathetic addition to the dwelling that would result in harm to the character and appearance of the host dwelling, and would have a detrimental impact on the visual amenities of the surrounding street scene with The Rowans. As such the

proposed development would represent a poor standard of design that fails to respond positively to the site and is contrary to Policies D1, D2 and HS6 of the North Hertfordshire Local Plan 2011-2031 and Section 12 of the NPPF 2024.

- 2.5 Whilst the wording of this second refusal has changed it continues to allege that the development would result in harm to the character and appearance of No 23, and would have a detrimental impact on the visual amenities of the surrounding street scene. In addition to repeating Policies D1 and D2 of the Local Plan and Section 12 of the NPPF this reason also cites Policy HS6 of the Local Plan.

3.0 THE REVISED APPLICATION

- 3.1 The location of the appeal property in relation to its surroundings is shown on drawing 26/01 and shows that No 23 occupies a larger plot than those around it. The existing floor plans and elevations are shown on drawing 26/02 and the existing and proposed roof plans on drawing 26/04A. The proposed floor plans and elevations are shown on drawing 26/03A and shown on the site plan 26/05A.

4.0 THE MATERIAL ISSUE

- 4.1 As with the previous application, the case officer's report upon this resubmission confirms that she raises no objection to the principle of a single storey rear extension of the same scale and design as before, which is in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF. She also confirms that the proposed front extension would appear as an acceptable addition within the street scene and is in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF. She also agrees that as there is no uniform palette of materials across the area the replacement of the existing grey hanging tiles on the northwest and southwest first floor elevations with the same horizontal plank cement based cladding in light grey or similar would be acceptable in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF.
- 4.2 So, the sole issue in this second appeal is the extent to which the changes that have been made to the first scheme address the previous Inspector's concerns at the effect of the proposal on the character and appearance of the house and this part of The Rowans. The Inspector acknowledged that No 23 could

accommodate a significant extension. In this context the extension could be large and remain two storey. The case officer is unconvinced that a two storey extension is appropriate, but this is an opinion that was not held by the Inspector.

- 4.3 In this second scheme the depth of the side extension has been significantly reduced from 11.007m to 9.75m at ground floor and 8.200m at first. It would not now be deeper in plan form than the existing house. It would not now nearly double the length of full height 2 storey side walls facing the end of the cul-de-sac, which the Inspector felt added to the bulk. The width has also been reduced from 5.85m to 5.524m. It is now smaller in width than the existing garage. The result of these significant reductions would not create an overly bulky structure, but one that is subsidiary to and in proportion with the existing house and others nearby.
- 4.4 In reporting upon these revisions the case officer acknowledged that a Planning Inspector previously accepted that the dwelling is capable of accommodating a significant extension, and that amendments have improved the overall design. After that, and without any subjectively based evidence, the case officer alleges that the proposal would nevertheless result in an excessively large addition that would fail to appear subordinate to the host dwelling by reason of its scale, bulk and form.
- 4.5 The plot on which No 23 stands is unique in The Rowans. The Council was concerned that the first extension would close down the open space between Nos 23 and 27. The Inspector noted that the 2 storey extension would leave a wide gap to No 27, partly because of the private drive between the 2 houses. It would also be set back from the street and building frontage. The proposal would not, therefore, cause any significant loss of openness. In this second scheme the depth and width of the two storey extension has been reduced creating an even wider gap to No 27, further reducing its impact upon the development at the end of the cul-de-sac.

5.0 SUMMARY

- 5.1 In cases such as this, where opinions differ upon the extent to which a proposed development would be harmful to the character and appearance of an area, a large degree of subjectivity is involved. In that context, some objectively based balancing evidence is required. In this case, that evidence shows that the appeal dwelling is

relatively modern, is not a listed building, not within a Conservation Area and stands at the end of a cul-de-sac in a larger plot than those around it. It has been determined that it can accommodate significant extensions in the form of single storeys at the front and back and a two storey side extension. This second scheme to extend it has addressed those issues that a previous Inspector found to be unacceptable about the two storey element.

- 5.2 In order to demonstrate potential views of the development within The Rowans these grounds of appeal conclude with 3 images of views either side and at the front of No 23. Each one shows how little localised harm would be caused at the head of the cul-de-sac.



View towards head of cul-de-sac



Front view



View from head of cul-de-sac

**Alan Breckon for Mr & Mrs Mortlock
August 2026**