
PLANNING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Wednesday, 27 May 2026 at 7.30 pm at Penn Chamber, Three Rivers House, Rickmansworth.

Members of the Planning Committee:-

Committee members will be appointed at Annual Council on 19 May 2026

*Joanne Wagstaffe, Chief Executive
Monday, 18 May 2026*

The Council welcomes contributions from members of the public to aid discussions on agenda items at Planning Committee meetings. Details of the procedure are provided below:

For those wishing to speak:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

For those wishing to observe:

Members of the public are welcome to attend the meeting. If you wish to observe you can arrive on the night from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The meeting may be livestreamed and an audio recording of the meeting will be made.

1. Apologies for Absence

2. Minutes

(Pages 5 - 10)

To confirm as a correct record the minutes of the Planning Committee meeting held on 23 April 2026.

3. Notice of Urgent Business

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

4. Declarations of Interest

To receive any declarations of interest.

5. 25/0590/FUL – Change of use of land to create 4 gypsy and traveller pitches including 2 amenity buildings and associated hardstanding and access at Land to the North Of Toms Lane, Kings Langley, Hertfordshire

(Pages 11 - 50)

Change of use of land to create 4 gypsy and traveller pitches including 2 amenity buildings and associated hardstanding and access at Land to the North Of Toms Lane, Kings Langley.

Recommendation: that planning permission be granted.

6. 25/0980/RSP – Part retrospective: removal of original front canopy porch; removal of original chimney stack; removal of original ridge tiles and finials; removal of original bargeboards; construction of single-storey front extension, including new porch with new front door and fenestration and window to replace garage door; replacement windows; construction of new chimney stack; cream painted render; replacement ridge tiles and finials, construction of single-storey rear extension and associated raised patio; rear rooflight; removal of front landscaping and driveway extension; and alterations to front boundary treatment, including brick slips to rendered front walls at Sands, Shire Lane, Chorleywood, Rickmansworth, Hertfordshire WD3 5NH

(Pages 51 - 70)

Part retrospective: removal of original front canopy porch; removal of original chimney stack; removal of original ridge tiles and finials; removal of original bargeboards; construction of single-storey front extension, including new porch with new front door and fenestration and window to replace garage door; replacement windows; construction of new chimney stack; cream painted render; replacement ridge tiles and finials, construction of single-storey rear extension and associated raised patio; rear rooflight; removal of front landscaping and driveway extension; and alterations to front boundary treatment, including brick slips to rendered front walls at Sands, Shire Lane, Chorleywood, Rickmansworth.

Recommendation: that part retrospective planning permission be granted subject to conditions.

7. **26/0033/FUL – Extensions to existing ground floor and extensions to create first and second floor accommodation, including rear dormer window to provide 1 self contained residential dwelling at no.1A Grove Road, Mill End, Rickmansworth WD3 8EB** (Pages 71 - 88)

Extensions to existing ground floor and extensions to create first and second floor accommodation, including rear dormer window to provide 1 self contained residential dwelling at no.1A Grove Road, Mill End, Rickmansworth.

Recommendation: that planning permission is granted.

8. **26/0073/RSP – Part retrospective: construction of two storey side extension, loft conversion including hip to gable extension and rear dormer and front/rear rooflights at 9 The Crescent, Croxley Green, Rickmansworth, Hertfordshire WD3 3DU** (Pages 89 - 116)

Part retrospective: construction of two storey side extension, loft conversion including hip to gable extension and rear dormer and front/rear rooflights at 9 The Crescent, Croxley Green, Rickmansworth.

Recommendation: that part retrospective planning permission be granted subject to conditions.

9. **26/0122/FUL – Alterations to elevations of existing car park building to enclose upper floor for commercial use (Class E), including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations at Trinity Court, Church Street, Rickmansworth, Hertfordshire WD3 1RT** (Pages 117 - 134)

Alterations to elevations of existing car park building to enclose upper floor for commercial use (Class E), including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations at Trinity Court, Church Street, Rickmansworth.

Recommendation: that planning permission be granted subject to conditions.

10. **26/0219/FUL - Erection of entrance ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works at Three Rivers House, Northway, Rickmansworth, Hertfordshire WD3 1RL** (Pages 135 - 152)

Erection of entrance ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works at Three Rivers House, Northway, Rickmansworth.

Recommendation: that planning permission be granted.

11. **26/0373/ADV – Advertisement consent: installation of internally illuminated fascia sign, and signs mounted on front/side of decking enclosure at 15 Money Hill Parade, Uxbridge Road,, Rickmansworth WD3 7BE** (Pages 153 - 160)

Advertisement Consent: Installation of internally illuminated fascia sign, and signs mounted on front/side of decking enclosure at 15 Money Hill Parade, Uxbridge Road, Rickmansworth.

Recommendation: that advertisement consent be granted.

12. **Other Business - if approved under item 3 above**

Exclusion of Public and Press

If the Committee wishes to consider any items in private, it will be appropriate for a resolution to be passed in the following terms:

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items).

General Enquiries: Please contact the Committee Team at
committeeteam@threerivers.gov.uk



Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Planning Committee MINUTES

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Thursday, 23 April 2026 from 7.30 - 9.07 pm

Present: Councillors Chris Whately-Smith, Elinor Gazzard, Oliver Cooper, Philip Hearn, Stephen King, Chris Lloyd, Chris Mitchell, Keith Martin, Debbie Morris and Sarah Nelmes

Also in Attendance:

Parish Councillor Jon Tankard (Abbots Langley Parish Council)

(Note: Councillor Tankard joined the meeting after the conclusion of application 25/2202/FUL).

Officers in Attendance:

Clara Loveland, Senior Planning Officer
Emma Lund, Senior Committee Officer
Adam Ralton, Development Management Team Leader
Kimberley Rowley, Head of Regulatory Services
Claire Westwood, Development Management Team Leader

PC129/25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harry Davies, Steve Drury and Abbas Merali.

Councillor Keith Martin replaced Councillor Harry Davies and Councillor Sarah Nelmes replaced Councillor Steve Drury for this meeting only.

PC130/25 MINUTES

The minutes of the Planning Committee meetings held on 19 and 31 March were confirmed as a correct record and signed by the Chair.

PC131/25 NOTICE OF URGENT BUSINESS

There were no items of urgent business.

PC132/25 DECLARATIONS OF INTEREST

The Liberal Democrat Group declared a non-pecuniary interest in agenda item 5 (126 Toms Lane, Kings Langley) as the agent is a member of the authority and a member of the Liberal Democrat Group.

PC133/25 25/2202/FUL - DEMOLITION OF AN EXISTING BUILDING TO THE REAR OF NO.126 AND CONSTRUCTION OF 2NO. TWO STOREY DETACHED SELF BUILD DWELLINGS WITH ASSOCIATED SUBDIVISION OF THE SITE AND ALTERATIONS TO

ACCESS, PARKING, LANDSCAPING WORKS AND CONSTRUCTION OF WORKSHOP AND GARAGE AT 126 TOMS LANE, KINGS LANGLEY, HERTFORDSHIRE WD4 8NR

The application was for demolition of an existing building to the rear of No.126 and construction of 2no. two storey detached self build dwellings with associated subdivision of the site and alterations to access, parking, landscaping works and construction of workshop and garage at 126 Toms Lane, Kings Langley.

The Planning Officer reported that officers were aware of the circulation by the applicant of additional information to Planning Committee members. Having reviewed the material, officers did not consider that it altered the officer assessment or recommendation for refusal as set out in the report.

The Planning Officer also reported that paragraph 7.4.21 of the report referred to a 1.7 year housing land supply. However, the updated published figure was 1.2 years. The Planning Officer confirmed that this did not alter the weightings or officer recommendation as detailed in the report.

A local resident spoke against the application.

The applicant spoke in favour of the application.

Points raised by the speaker against the proposal included: the different and harmful nature of the backland form of the development; the site is Green Belt and not Grey Belt and the development would cause harm to a Green Belt site which had an important role in preventing coalescence; the potential for a precedent for development to be set, leading to similar developments in neighbouring plots and an incremental erosion of the Green Belt; and concern about assessing the site as Grey Belt in isolation rather than as part of a wider land parcel.

Points raised by the speaker in favour of the proposal included: the development would provide accommodation for family members who would otherwise not be able to afford the very high local housing prices; there had already been significant infill and splitting of plots in Toms Lane; the site was Grey Belt, the plot size was adequate, and there were no highways objections; and consideration had been given in the design to ensure that there would be no residential overlooking.

With regard to points which had been raised by speakers, officers clarified that the assessment of Grey Belt related to the application site only, and not to any wider parcel of land. In assessing the application consideration had been given to the site's contribution to purposes (a), (b) and (d) set out at Paragraph 155a of the NPPF. For the reasons set out in the report, officers considered that the site made a weak contribution to all three purposes. Therefore, whilst officers were recommending refusal on the grounds of harm to the character and appearance of the area and amenity, the site was Grey Belt and there were no reasons for refusal arising from harm to the Green Belt.

Moderate weight had been attached to the provision of housing; however, in assessing the balance this benefit was not considered to outweigh the harm which would arise from the development.

Committee Members asked questions about the details of the application which were responded to by officers. The Committee's discussions included the following:

- A Committee Member recommended that the assessment of Green Belt or Grey Belt status should take account of all sites within an area which would be similarly classified, so that the test should be whether purposes (a), (b) and (d) set out at Paragraph 155a of the NPPF would be undermined if more, or all, of these sites were also to be developed. Officers responded that Paragraph 155 referred to 'the development' as a singular, and so

this suggested interpretation was not considered to be correct and the test, as outlined in the report, had been correctly applied. The reason for refusal on the basis of harm to the character and appearance of the area reflected the importance of the Green Belt classification of the wider area and the significance of the linear boundary of Toms Lane. In response to a further question about the apparent disparity in approach which allowed a site to be classified as Grey Belt within an area which was identified in the Local Plan to be of fundamental significance to the Green Belt, officers responded that the large areas identified in the Local Plan were assessed at a high strategic level. In appraising individual applications, officers were required to make assessments at a more granular level, on a site-by-site basis.

- A Committee Member recommended that reference to backland development should be included within the reasons for refusal, and this was supported by other Committee Members.
- A Committee Member noted that the speaker in favour of the application had stated that there were no issues of overlooking; however, the reasons for refusal recommended by officers referred to 'unacceptable levels of overlooking and a perceived loss of privacy'. The Planning Officer clarified that the concern about overlooking largely related to overlooking between the proposed two new units. Additionally, whilst there was no overlooking of neighbouring properties, there was a concern that the development would be overbearing and un-neighbourly. In light of this, it was recommended by a Committee Member that the weighting given in the consideration of harm to neighbouring amenity should be increased from 'moderate' to 'significant.'
- Some Committee Members questioned the officers' assessment of the site as Grey Belt. One Committee Member strongly considered that the site was Green Belt, and that the proposal would fundamentally undermine the purpose of the Green Belt. It was suggested that inappropriate development in the Green Belt should be added to the reasons for refusal, as this would be the case even if the site were to be accepted as Grey Belt. This was because of the unsustainable nature of the site due to its rural location and lack of transport options.

Councillor Morris moved, and Councillor Lloyd seconded, refusal of the application for the reasons set out in the report and subject to the inclusion of reference to backland development within reason for refusal 1. Additionally, the weighting given to the consideration of harm to neighbouring amenity should be increased from 'moderate' to 'significant.'

Councillor Cooper tabled an amendment, seconded by Councillor Hearn, that inappropriate development in the Green Belt be added as a further reason for refusal. The amendment was accepted by Councillor Morris (the proposer) but was not accepted by Councillor Lloyd (the seconder).

Councillor Nelmes then moved, and Councillor Lloyd seconded, refusal of the application for the reasons set out in the report and subject to the inclusion of reference to backland development within reason for refusal 1. Additionally, the weighting given to the consideration of harm to neighbouring amenity should be increased from 'moderate' to 'significant.'

On being put to the vote the amendment fell, the voting being 5 for, 5 against, 0 abstentions. The Chairman's casting vote was used.

On being put to the vote the substantive motion was carried, the voting being unanimous.

RESOLVED:

That the application be refused for the reasons set out in the report and subject to the inclusion of reference to backland development within reason for refusal 1. Additionally, the

weighting given to the consideration of harm to neighbouring amenity should be increased from 'moderate' to 'significant.'

PC134/25 26/0118/FUL – DEMOLITION OF EXISTING SHED, STORAGES AND GARAGE; CONSTRUCTION OF TWO-STOREY SIDE EXTENSION AND SINGLE-STOREY REAR AND EXTENSION; LOFT CONVERSION INCLUDING REAR DORMER; CONSTRUCTION OF REPLACEMENT GARAGE; SOLAR PANELS AND HEAT PUMP AT 62 STATION ROAD, KINGS LANGLEY, HERTFORDSHIRE WD4 8LB

The application was for demolition of existing shed, storages and garage; construction of two-storey side extension and single-storey rear and extension; loft conversion including rear dormer; construction of replacement garage; solar panels and heat pump at 62 Station Road, Kings Langley.

Parish Councillor Jon Tankard joined the meeting.

The Planning Officer reported that following consultation, the views of the Conservation Officer had now been received. The Conservation Officer considered that the proposal would not have an adverse impact on the setting of the listed cottages which were located further down the road, or their special interest.

The Planning Officer also reported that reference to Toms Lane at paragraph 7.3.7 of the report had been included in error and should be omitted. The impact of the proposal on neighbours was assessed in full in the remaining paragraphs of section 7.3.

Finally, the Planning Officer reported that officers had undertaken a site visit earlier in the day to confirm the site's status. This had confirmed that a rear dormer window and front solar panels had been installed at the site under permitted development.

A local resident spoke against the application.

The applicant spoke in favour of the application.

Parish Councillor Jon Tankard (Abbots Langley Parish Council) spoke on the application.

Points raised by speakers against the proposal included: the applicant had obtained change of use permission for a 6-bedroom HMO under permitted development rights, but if the application were to be approved it may result in a larger HMO at the property in the future; there was insufficient parking; the extension and garage would leave little outside amenity space; the proposal represented over-development of the site and was out of character; the extension would reduce visibility at the turning into Egg Farm Lane, with associated safety implications; use of the property as an HMO would result in additional traffic movements, noise, refuse, and infrastructure pressures which would impact on neighbours and the character of the area; there would be a harmful impact to the setting of the listed cottages on Station Road and a likelihood of cars being parked across their frontage; and there was a lack of a detailed heritage assessment.

Points raised by the speaker in favour of the proposal included: the operation of the property as a small HMO had already been granted consent and was lawful; a significant proportion of the proposed work was permitted under a separate Certificate of Lawfulness; the proposal was designed to be an example of high-end, eco-friendly and energy efficient housing for young professionals, addressing a local need and was of high quality design; and the extension was designed to be a sympathetic addition to the property and the character of the surrounding area.

In response to the points raised by speakers, the Planning Officer reported that the application had been assessed as a householder development and not as a development for an HMO. Regard had been given, in considering the acceptability of the scheme, to the fact that a lawful

development certificate for up to 6 occupants existed. The issue of over-development was addressed in the report at section 7.2.5 and elsewhere in section 2. Finally, the Highways Officer had been consulted on the application and had raised no objections on the grounds of highway safety; additionally, there was an alternative access at the rear of the site which had been in use for some time.

Committee Members asked questions about the details of the scheme which were responded to by officers. The Committee's discussions included the following:

- The Planning Officer confirmed that the proposal relied on one parking space within the garage to the rear of the property, accessible via an existing access. No parking spaces were proposed to the front of the property. In addition, the application site was eligible for two parking permits for the controlled parking zone. For these reasons, and due to the sustainable location of the development, officers were satisfied that the proposal was acceptable in terms of parking provision. A parking shortfall already existed at the property and this situation would remain unchanged under the proposed scheme, so that this was not considered by officers to represent sufficient justification for refusal.
- In response to a question as to why the application had been assessed as a householder development, given the applicant's stated intention to operate the property as an HMO, the Planning Officer clarified that a change from Use Class C3 (residential dwelling) to C4 (small house of multiple occupation) for a maximum of 6 occupants had been granted under permitted development. An HMO with more than 6 occupants would require express planning consent. Whilst the lawful fallback position was important in assessing the acceptability of the scheme, it did not infer that it was being proposed within this application. It was noted that the applicant had previously submitted an application for a larger (9-bedroom) HMO which was subsequently withdrawn; the Planning Officer commented that whilst the planning history was a material consideration, officers were only able to assess the application as presented and with regard to the submitted plans, which in this case were for a householder application for extensions to the property.
- Some Committee Members commented on the value of HMOs as a housing option, especially for younger people, noting that many were of high quality and well-run.
- A Committee Member expressed concern about the lack of parking provision within the proposal, irrespective of how the property would be used, and commented that there were already significant parking pressures in the nearby roads. This was endorsed by another Committee Member.
- A Committee Member commented that as use of the property as an HMO for up to 6 occupants had been consented, there was a need to consider the impact on neighbouring amenity of the property being used in this way. Significant weight should be given to the addition of parking demand in an area where availability of parking was already lacking. It was also considered that there was insufficient mitigation of the harm to neighbours arising from the intensification of use, such as the harm from noise and the parking shortfall.
- A Committee Member commented that the proposal would result in a lack of outdoor amenity space for occupants (33sqm, compared with a standard of 105sqm for a four-bedroomed property). The officer justification of the proximity of Primrose Hill Playing Field was not considered to be sufficient mitigation for this significant shortfall in amenity space.
- Another Committee Member commented that, whilst noting the concerns of residents, there did not seem to be sufficient planning grounds to refuse the application, and that the demand for parking would not be significantly different to that which could be needed were it to be used as a dwelling house where adult children resided.

- In response to a question, the Planning Officer clarified that the only element of the scheme which could not be implemented under permitted development was the two-storey side extension. A Committee Member expressed the view that the side extension may represent over-development of the site, and this was endorsed by other Committee Members. Another Committee Member expressed the view that the application should be refused on the grounds of parking shortfall, lack of amenity space, adverse impact on the character of the area and adverse impact on neighbouring amenity, in addition to the over-development of the site.
- Another Committee Member commented that the two-storey side extension appeared to be excessively prominent in relation the adjacent property and would serve to make number 62 dominant to number 64.

Councillor Morris moved, and Councillor Mitchell seconded, that the application be refused on the basis that the proposal, by reason of the lack of car parking and lack of amenity space, would result in a harmful impact on the character of the area. Full wording of the reasons for refusal would be circulated to Committee Members separately.

On being put to the vote this was carried, the voting being 8 for, 0 against, 2 abstentions.

RESOLVED:

That the application be refused on the basis that the proposal, by reason of the lack of car parking and lack of amenity space, would result in a harmful impact on the character of the area. Full wording of the reasons for refusal would be circulated to Committee Members separately.

CHAIR

PLANNING COMMITTEE – Wednesday 27 May 2026

25/0590/FUL – Change of use of land to create 4 gypsy and traveller pitches including 2 amenity buildings and associated hardstanding and access at Land to the North Of Toms Lane, Kings Langley, Hertfordshire

Parish: Abbots Langley Parish Council

Ward: Abbots Langley and Bedmond

Expiry of Statutory Period: 20.11.2025

Case Officer: David Heighton

Extension of time agreed: 05.06.2026

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: Called in to Planning Committee by Abbots Langley Parish Council.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=STZH8NQFFYJ00>

1 Relevant Planning and Enforcement History

- 1.1 12/0127/COMP – Unauthorised gypsy/traveller incursion – Case Closed. Associated injunction on land which orders that the Defendant must not; a) cause or permit any operational development associated with re-grading the site, the laying of hardstanding or the installation of services on the site, b) cause or permit caravans, mobile homes or other residential accommodation or structures to be stationed on the site, or, c) occupy or cause or permit the occupation of any caravans, mobile homes or other residential accommodation stationed on the site.
- 1.2 21/0575/FUL - Change of use to equestrian and construction of a stable building and access – Withdrawn 10.05.2021.
- 1.3 21/1772/FUL - Change of use to equestrian and construction of a stable building, hardstanding and access - Refused - 10.09.2021

Refused for the following reasons:

R1 The proposed development through the introduction of built form development and the extent and use of the hard surfacing would fail to preserve the openness of the Green Belt and would therefore not meet any of the exceptions listed at paragraphs 149 or 150 of the NPPF (2021). The development would constitute inappropriate development, by definition, would have a significant harmful impact on the openness of the Green Belt and would also conflict with one of the purposes of Green Belts, namely the encroachment into the countryside. It is considered that very special circumstances do not exist to outweigh the inappropriateness of the development, harm to openness and any other harm identified. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

R2 The proposed development fails to demonstrate that vehicles using the site can safely enter and turn within the site in order to access and egress the site in a forward gear which would adversely impact upon highway safety and would be contrary to Policy CP10 of the Core Strategy (adopted October 2011).

- 1.4 21/2689/FUL - Change of use of land to equestrian and construction of a stable building, hardstanding, access, gates and altered vehicle access – Refused - 18.01.2022.

Refused for the following reasons:

The proposed development through the introduction of built form development and the extent and use of the hard surfacing would fail to preserve the openness of the Green Belt and would therefore not meet any of the exceptions listed at paragraphs 149 or 150 of the NPPF (2021). The development would constitute inappropriate development, by definition, would have a significant harmful impact on the openness of the Green Belt and would also conflict with one of the purposes of Green Belts, namely the encroachment into the countryside. It is considered that very special circumstances do not exist to outweigh the inappropriateness of the development, harm to openness and any other harm identified. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

Dismissed at appeal – APP/P1940/W/22/3292138.

2 Description of Application Site

- 2.1 The application site is a rectangular piece of land approximately 0.15ha in area as identified within the extent of the red line on the Location Plan, located on the northern side of Toms Lane, Bedmond. The applicant's ownership extends further north and is shown hatched in blue on the Location Plan.
- 2.2 The application site includes a section of open pasture land containing shrubs with mature boundary trees, positioned adjacent to the highway with open land to the west and woodland to the east. The application site has an existing gated access via Toms Lane and is enclosed by fencing.
- 2.3 In terms of residential properties, No.235 Toms Lane is sited over 120m west of the site, and No.323 Toms Lane is sited 120m east of the site. The Pavilion is sited to the south of the application site, separated from the application site by the highway.
- 2.4 The application site is located within the Metropolitan Green Belt.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the change of use of the land for the stationing of caravans for residential purposes for 4 no. gypsy pitches with 2 no. amenity buildings and the formation of hardstanding.
- 3.2 A single Gypsy or Traveller pitch can include two stationed caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, although only one of these can be a residential mobile home. This latter Act and the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006 defines a residential mobile home as being no larger than 20 metres in depth 6.8 metres in width and 3.05 metres internal height.
- 3.3 Four pitches are proposed in total, each pitch would comprise space for a static caravan, with the total provision for two touring caravans. The static caravans would be approximately 3m in height, 12m in depth and 4m in width.
- 3.4 Two day rooms are proposed to serve the everyday amenity needs of the occupiers. The day rooms would provide a kitchen/living room and bathroom. The day rooms would have a maximum width of 14m, a depth of 5m and a maximum height of 3.4m.
- 3.5 A set of metal, timber infill gates are proposed to the existing access, which would be 4.5m in width and up to 1.75m in height, set back 7m from the highway. A post/rail 1.2m high fence is proposed to the front western boundary for a depth of 15m with close boarded 1.4m

high timber fence proposed along the same boundary for a depth of 15m into the site to a distance of approximately 88m.

- 3.6 Soft landscaping would be retained and enhanced around the boundaries of the application site, with hedging proposed to the southern and western boundaries. To the immediate north, within the applicant's ownership, the grassland would be retained and supported by new ecological enhancements (which are also proposed within the application site).
- 3.7 A hardstanding/gravel track would be installed from the existing access, 82m into the site and would include the provision for six parking spaces and turning spaces for emergency and service vehicles
- 3.8 The proposed pitches are for use by the extended family of the applicant.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Objection]

The Parish Council objects to this application on the following grounds:

Green Belt Integrity: Members consider the site to form a vital open break between the urban density of Bedmond and the lower western development of Toms Lane. The land contributes meaningfully to the openness and character of the Green Belt and does not exhibit the transitional qualities associated with 'grey belt' land. Members therefore dispute any classification of the site as grey belt.

Local Character and Layout: Toms Lane is characterised by residential properties with front gardens set perpendicular to the highway. The proposed layout, which includes pitches aligned perpendicular to the road, is considered incongruous with the established streetscape and would undermine the visual coherence of the area.

Contamination Concerns: Members draw attention to application 98/0626 (Outline), which was refused due to historic contamination on adjacent land. No methodology for containment or remediation has been provided in the current proposal, and Members believe this application similarly fails to address contamination risks adequately.

Highway Safety: The proposed access arrangements raise significant concerns. Given the bend in the road, Members do not believe the plans meet the required 48m visibility splays. Application 21/1772/FUL was previously refused on highway safety grounds, and Members note that traffic levels remain high due to the proximity of both the playing fields and the primary school directly opposite the site.

Planning Balance: While Members acknowledge TRDCs obligation to provide suitable sites for the traveller community, they believe the cumulative harm to the Green Belt, local character, biodiversity, and highway safety outweighs the benefits of the proposal.

In light of the above, the Parish Council requests this application be refused. Should officers be minded to approve the application, Members request that it be referred to committee for determination.

4.1.2 Hertfordshire County Council: Highway Authority: [No Objection]

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments

The Highway Authority provided an initial response on 06 October 2025 requesting additional information relating to the access arrangements for both refuse collection vehicles and emergency vehicles. The applicant has subsequently provided amended plans addressing those points. The amended plans provide a turning point for larger vehicles in the middle of the site and highlighted areas for waste storage.

Relevant planning history: 21/1772/FUL: Change of use to equestrian and construction of a stable building, hardstanding and access.

The Highway Authority requested additional information regarding the potential for adequate inter-visibility to be achieved for vehicles coming and going from the site. The HA requested swept path analysis and detailed plans of any vehicular entrance gates, which was provided as part of 21/2689/FUL below and included within this current application under 'Highway Planning Consultation'. The LPA refused permission.

21/2689/FUL: Change of use of land to equestrian and construction of a stable building, hardstanding, access, gates and altered vehicle access.

The Highway Authority did not wish to restrict the grant of permission subject to a condition around the construction of a bellmouth entrance. The LPA refused permission.

Context: The development site is located on Toms Lane, a local access 'C' road, considered highway maintainable at public expense with a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, Toms Lane is categorised as P2/M1 (e.g. Residential Street). One 'slight' reportable highway collision is recorded in the vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRow map) directly affects the site or would be affected by the proposal. The county council considers Toms Lane to be traffic sensitive during peak hours (07:00 - 09:30 and 16:00 - 18:30, Monday to Friday).

Access: The site currently allows for vehicular access via a gated entrance from Toms Lane. The vehicle access comprises of a dropped kerb and vehicle crossover measuring approximately 3.8m over a footpath and grass verge. The proposals propose no alteration to the existing vehicle access apart from extending the amount of hardstanding space before the gated entrance. 7m will be provided in front of the entrance gate to allow for a large estate vehicle to stop in front of the gate and wait without causing an obstruction to the highway network. The Highway Authority is content with this proposal as it aligns with Hertfordshire County Council design standards outlined in the Place and Movement Planning and Design Guide (P&MPDG).

The Highway Authority notes the concerns highlighted by Abbots Langley Parish Council associated with the highway access but disagrees that the required visibility is not possible. A visibility splay of 2.4m x 43m would be the recommended visibility measurements outlined by Manual for Streets and P&MPDG when taking into account the speed limit of Toms Lane. Uninterrupted visibility (even when taking into account the bend in the road referenced by the Parish Council) is possible within these parameters.

The Highway Authority did not raise this as a concern for previous application 21/1772/FUL and the visibility of the access was not a reason given to refuse the application by the Local Planning Authority. The LPA referenced a lack of an adequate turning area for vehicles to leave the site in forward gear.

The Highway Authority has no concerns with the proposed access.

Trip generation: The application site states that this development will create three residential units. The trips associated with three additional residential units will not result in a significant increase in the number of trips to and from the site. No impact on the highway network has therefore been identified.

Parking: 6 parking spaces are proposed on site (the application form states for 4 cars and for 2 light goods vehicles / public carrier vehicles). Parking spaces are provided with acceptable lengths and widths throughout the site. The Highway Authority is content that the layout does not increase the risk of a vehicle parking in such a way that obstructs or overhangs the highway.

No cycle parking spaces have been provided within site drawings. Considering the storage buildings provided as well as the ample space of the overall site, adequate cycle parking spaces would be possible without a dedicated area for them.

Accessibility: The development site is located 400m (walking route) from the nearest bus stop which provides regular bus services (High Street). Henderson Place is a nearer stop but which does not provide more than one or two services per day. The nearest train station is not within a reasonable walking distance, and is far beyond the recommended distance provided by Planning for Walking by the Chartered Institution of Highways and Transportation (CIHT). The development site is a short walk from the centre of Bedmond village.

Surface water flood risk to the highway: The applicant is reminded that surface water must not be allowed to flow or be discharged onto land considered highway maintainable at public expense. According to the development application form, surface water will be disposed of via a soakaway. The Highway Authority is content that, considering the size and nature of the development, the risk of surface water flooding on the highway is not increased as a result of these proposals.

Emergency vehicle access: Requirements for emergency vehicle access are outlined in HCC's Place and Movement Planning Design Guide (P&MPDG) (Part 2 Chapter 4) and Fire Safety Approved Document B, Vol 1, dwellings, 2010 (as subsequently amended). Access for a pumping appliance should be provided to within 45m of a single building (and within 45m of all points within the building). If this is not the case then a fire tender should be able to enter the site and should not be required to reverse more than 20m to exit the site. Amended plans provide a turning point adequate for a fire tender.

Whilst the Highway Authority does not have any issues with the site layout or access arrangements. The application has been referred to Hertfordshire Fire & Rescue and the HA would recommend the LPA await their comments, including any issues or recommendations, to inform their decision.

Access for refuse collection vehicles: No issues in terms of access for refuse collection vehicles have been identified but the Highway Authority would recommend the LPA refer the proposals to their own Environmental Services department to ensure the waste collection arrangements are acceptable.

Conclusion

HCC as Highway Authority has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the above highway informative / advisory notes.

4.1.3 Herts Fire and Rescue:– [Made the following comments]

Following an email from Highways dated 19th November 2025 regarding the above planning application, we have examined the plans and make the following comments:

ACCESS AND FACILITIES

Access for fire fighting vehicles should be in accordance with The Building Regulations 2010, Approved Document B - Vol .2, Sub Section B5.

- 1. It appears that a fire appliance will be able to gain access to the site via the entrance gates, it should be ensured there is a minimum width between gateways of 3.1 meters. (Table 15.2)*
- 2. It appears from the attached documentation JS02_v3 that a satisfactory turning circle conforming to the requirements of diagram 15.3 will be provided.*
- 3. The access road should achieve a minimum carrying capacity of 19 tonnes for a fire appliance.*
- 4. Any trees adjacent to the access road should not have overhanging branches/limbs lower than 3.7m in height.*

WATER SUPPLIES

Fire hydrants will be required in order to ensure new developments are adequately served in the event of fire. For information on water supplies for firefighting (Fire hydrants) please contact Hertfordshire Fire & Rescue Services Water Officer on 01992 507507 or water@hertfordshire.gov.uk

4.1.4 TRDC Local Plans Section: [No Objection]

Policy H of the 'planning policy for traveller sites' (PPTS) (December 2024) sets out that Local Planning Authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) The existing level of local provision and need for sites*
- b) The availability (or lack) of alternative accommodation for the applicants*
- c) Other personal circumstances of the applicant*
- d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites*
- e) That they should determine applications for sites from any travellers and not just those with local connections.*

Policy CP5 of the Core Strategy (2011) sets out that when allocating sites or considering planning applications for sites for Gypsies and Travellers or Travelling Showpeople, a criteria based approach will be used. The following criteria will be taken into account:

- a) Avoid areas at risk from flooding*
- b) Avoid causing an adverse impact on areas of recognised wildlife, heritage or landscape importance, and on the openness of the Green Belt*
- c) Be in or near existing settlements with access by foot and/ or public transport to local services, including shops, schools and healthcare*
- d) Be well located to the highway network, with safe and convenient vehicular and pedestrian access to the site*
- e) Provide adequate on-site facilities for parking, storage, play and residential amenity*
- f) Provide adequate levels of privacy and residential amenities for occupiers and not be detrimental to the amenities of adjacent occupiers*
- g) The circumstances of the applicant and their need for pitches on the application site*

Policy CP11 states that there will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Policy DM2 sets out "within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance".

Policy E of PPTS (December 2024) states "inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development unless the exceptions set out in Chapter 13 of the National Planning Policy Framework apply". It also states that "the Golden Rules, set out in chapter 13 of the National Planning Policy Framework, do not apply to traveller sites".

Paragraph 154 of the National Planning Policy Framework (NPPF) states that development in the Green Belt is inappropriate unless certain exceptions apply. Paragraph 154 of the NPPF sets out the following exceptions to inappropriate development in the Green Belt:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i. mineral extraction;*
 - ii. engineering operations;*
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;*
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

Additionally, paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a.) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b.) There is a demonstrable unmet need for the type of development proposed;*
- c.) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d.) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157*

The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. As such, it is clear that there is a demonstrable need for gypsy/traveller pitches within the District.

Since the publication of the GTAA in August 2025, the following planning permissions have been granted:

- *25/1117/FUL - Land South of Old House Lane, Kings Langley, WD4 8RR. This application resulted in the net gain of 1 pitch.*

As such, following the approval of the above planning permissions, the total need identified within the GTAA is now 40.

The delivery of 4 pitches would positively contribute to the identified need for gypsy/traveller pitches within the District.

The Planning Policy team will provide further comments if any changes to the application are made.

The site was included within the emerging Local Plan Part II – Site Allocations document (January 2026), which identifies locations the council considers suitable for future development. At the 27 January 2026 Extraordinary Full Council, the Part II Local Plan document was agreed to proceed to Regulation 19 Consultation. However, on 5 February 2026, the council was issued a holding direction by the Minister of State for Planning and Housing preventing the council from taking “any step in connection with the adoption of the Plan”, including proceeding with the Regulation 19 consultation until the Minister reviewed the emerging Plan’s evidence base. On 18 March 2026, the council was issued a Local Plan Intervention letter whereby the Minister of State for Planning and Housing issued a total of 9 directions to the council, including timelines for specific actions, such as commencing the Regulation 19 consultation (by 31 July 2026). The emerging Local Plan has not proceeded to Regulation 19 consultation. As such, at this stage, the allocation of the site as a gypsy/ traveller site can only be given limited weight.

4.1.5 Herts Ecology – [Made the following comments]

The Site is located adjacent to Bedmond Green Local Wildlife Site 75/014 important for its grassland. I have no reason to consider that the LWS will be directly affected by the proposal but as a precautionary measure I advise the following is secure by Condition.

Protected species

Bats: A number of trees were assessed as having potential roosting features And if any of the trees T1 – T8 as identified within the PEA are to be affected further surveys would be required. Prior determination. However, the DAS states that all trees are to be retained. A landscape plan has also been produced which includes the location and type of lighting features. Based on the retention of the trees there is sufficient information on bats to determine the application. However, I advise that the retention of these trees and the lighting plan are secured by a compliance Condition.

Other protected Species: Standard safeguards for badgers, hedgehogs, nesting birds and non-licensed mitigation for Great Crested Newts are outlined in the Preliminary Ecological Appraisal. To this effect, I advise method statements based on the mitigation within the ecology reports including should be submitted for approval to the LPA. These are best demonstrated within an ecological section of Construction Ecological Management Plan. I advise this is secured by Condition.

BNG exemption

The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

- a) *Self-Build and Custom Build Applications and consist of no more than 9 dwellings on a site no larger than 0.5 hectares.*

If the LPA consider that this application meets the above exemption the requirement for mandatory 10% biodiversity gain does not apply. However, a biodiversity metric has been provided and if the application is assessed to be not covered by the exemption, then the following would apply:

BNG pre-determination

Completion date and baseline value: The metric calculation tool (Mandatory Biodiversity Metric), completed on 24/09/2025, shows baseline values of 3.89 habitat units, 1.35 hedgerow units.

The baseline habitats are consistent with the baseline habitat map and the outcomes of the submitted surveys. As a result, I have no reason to doubt these values. Consequently, the minimum information requirements have been met and the application can be determined accordingly.

Strategic significance: The values for the baseline habitats have been set as low in line with government LNRS guidance.

BNG determination

BNG net gain outcome: An overall net gain greater than 10% that meets the trading rules has been shown to be possible. This is proposed to be achieved entirely through on-site biodiversity enhancements.

The metric demonstrates an on-site delivery of:

- 0.51 habitat units, representing a total net change of 13.13%;*
- 0.28 hedgerow units, representing a total net change of 20.56%; and all of which exceed the statutory minimum requirement of 10% Biodiversity Net Gain, where applicable.*

Whilst the biodiversity gain condition is a post-determination matter, the information submitted provides the LPA with reasonable confidence that the Biodiversity Gain Condition can be discharged, subject to approval of a Biodiversity Gain Plan demonstrating delivery in accordance with the final metric.

Significant on-site enhancement: The proposed Biodiversity Net Gain includes medium-distinctiveness habitats (such as other neutral grassland) delivered at a scale that constitutes Significant On-Site Enhancement. I therefore advise that the on-site biodiversity enhancements should be secured for a minimum period of 30 years by either a condition attached to the planning permission, a Section 106 agreement, or a conservation covenant.

If an S106 is sought account should be taken in any such agreement of the cost to the LPA of reviewing any required monitoring reports. Based on a small site (1–5 ha) and low difficulty of habitat creation and management, I advise that, in line with the Ecology Service (LEADS) monitoring cost calculator, a cost of £3,395 would be appropriate. This is dependent on monitoring reports being provided in years 1, 3, 5, 10, 15, 25 and 30.

Habitat Management and Monitoring Plan (HMMP): The creation, enhancement and long-term management of the on-site habitats should be set out in a Habitat Management and Monitoring Plan (HMMP) covering a minimum period of 30 years.

The HMMP should be submitted to and approved by the LPA and should follow the Natural England HMMP template.

LNRS & Post Determination Strategic significance: Areas of the application site are covered by mapped measures within the strategy. If the application is approved, the Biodiversity Gain Plan and supporting metric should reflect high strategic significant values for any areas (1) that are shown in the published local strategy and (2) deliver the mapped measures for that area. Any post development habitat interventions that meet both of these criteria will achieve a biodiversity unit uplift.

BNG-Post Determination.

Biodiversity Gain Plan: I advise this is completed using the government template.

In order the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- *Completed metric tool calculation that demonstrates
 - *a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.*
 - *A fully completed start page including project details and the date the final version of the metric was completed.**
- *pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale, Post Development Plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.*
- *a description of how they will manage and monitor significant on-site gains (for example, With a habitat management and monitoring plan)*

Conditions and Informatives

Lighting Condition:

Non licenced mitigation relating to preventing the negative impacts of lighting on these features for bats are recommended. I advise these are secured by the following Condition or similar.

“The development shall be carried out in accordance with the biodiversity mitigation measures relating to lighting in the Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd and be informed by the Guidance Note 08/23: Bats and artificial lighting in the UK, (BCT & ILP, 2023). All the measures and features listed shall be implemented in full, unless otherwise agreed in writing by the local planning authority, and all the measures and features shall thereafter be permanently retained.”

Construction Environmental Management Plan Condition:

“No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

1. *A review of any ecological impacts and should be informed by the submitted ecological report Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd.*
2. *Risk assessment of potentially damaging construction activities.*
3. *Identification of ‘biodiversity protection zones’*
4. *A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.*

5. *The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).*
6. *Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;*
7. *The times during construction when specialist ecologists need to be present on site to oversee works.*
8. *Responsible persons and lines of communication.*
19. *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason

To ensure sensible working practices which protect ecology on and adjacent to this site.

Tree Condition:

Existing trees (including the roots and overhanging branches) that are remaining on (or adjacent to the) site should be protected from damage. Protection barriers and/or a no-dig policy may be required and advice should be sought from an Arboriculturist.

The development shall be completed in strict accordance with the following documents and drawings as submitted with the planning application,

ii. Proposed Planting Scheme, Exterior Lighting and Biodiversity Enhancements.

All the biodiversity mitigation measures shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and all mitigation features shall thereafter be permanently retained for the stated purposes of biodiversity conservation.

4.1.6 Environmental Health (Protection) Officer:

Please find below a summary of the findings of the report, comments and recommendations.

Introduction

STM Environmental prepared a Phase 2 Environmental Site Investigation Report for the site at Toms Lane, Kings Langley, Hertfordshire. The report has been submitted in support of a proposed change of use of the site to create four gypsy and traveller pitches including two amenity buildings and associated hardstanding and access. The report advises the proposals include soft landscaping.

The stated objectives of the report are to provide information for a generic quantitative risk assessment (GQRA) to be undertaken, refine the Conceptual Site Risk Model using the findings of the GQRA, inform the need for and scope of any remedial works that may be required.

The report follows on from a Phase 1 Preliminary Risk Assessment (Document Reference. PH1-2025-000137, 20th November 2025) and includes a summary of the findings of the Phase 1 report and the preliminary conceptual site model.

The Phase 1 report was reviewed in Planning Consultation Response ref. 23158101-WAT-XX-XX-TN-N-770035_P01_S1. We note a revised Phase 1 report addressing our comments has not been submitted.

Summary of the contents of the report

Ground investigation was undertaken at the site in February 2026. The investigation comprised 7No. window sample holes to depths of between 1.0m bgl and 3.0m bgl, analysis of near surface soil samples from depths of between 0.2m bgl and 1.5m bgl, PID headspace screening of soil samples, installation of 3No. window sample hole locations with monitoring wells to 3.0m bgl, 3No. post-investigation rounds of ground gas and groundwater monitoring.

The report describes the geology encountered as comprising slightly clayey, sandy, gravelly SILT underlain by slightly clayey, slightly silty, gravelly, cobbly SAND with flints to a depth of 3.0mbgl.

The report notes no visual indications of contamination, significant odours or PID readings were recorded during the investigation.

13No soil samples were submitted for analysis including asbestos screen, metals, speciated total TPHs, phenols, BTEX compounds, MTBE, speciated PAHs, cyanide, and pesticides. Laboratory analysis results were screened against generic assessment criteria (GAC) for a residential end-use without plant uptake for soil with 2.5% soil organic matter (SOM). The report advises a single exceedance of lead was reported in a sample recovered from 0.30m bgl in BH06.

Asbestos was not detected in any of the 11No. samples submitted for laboratory screening.

The report advises the frequency of ground gas monitoring visits (3No.) were decided in line with the recommendations by CIRIA to provide monitoring data sufficient to allow the predication of worst-case conditions. Exploratory hole logs show monitoring wells targeted the cobbly sand deposits.

Ground gas monitoring recorded a maximum carbon dioxide concentration of 2.6%. Methane was not recorded above the gas monitor's limit of detection (0.0%). A maximum flow rate of 0.3l/hr was recorded. A characteristic situation 1 (CS-1) was calculated and the report advises no ground gas protection measures are required for the development. A maximum PID reading of 1.3ppm was recorded in the monitoring wells.

No groundwater was recorded during advancement of the exploratory holes or during the post-investigation monitoring.

A reassessment of contaminant linkages identified in the Phase 1 report is presented. Potential risks are identified as low to very low for all receptors except for future site occupiers. A low to moderate risk to future site occupiers is identified due to an elevated concentration of lead. Other than future site occupiers, risks are identified as not potentially significant.

The report recommends remedial measures in the area of BH06 to break the Potential Pollutant Linkages identified and to render the site suitable for the proposed residential end use. The report recommends a Remediation Strategy is submitted to the Local Planning Authority for approval and remedial works should be validated by a qualified Environmental Consultant.

Assessment of compliance with LCRM

We make the following observations which should be addressed in the Phase 2 report:

- *It cannot be discounted the site could be used for home-grown vegetables in the future. Therefore, soils chemical analysis results should be screened against GAC for a residential use with plant uptake;*
- *Delineation of soils containing elevated concentrations of contaminants (including lead) should be undertaken to inform the extent of remedial works required. This could be undertaken as part of an updated Phase 2 report, or included within the scope of a Remediation Strategy to be agreed with the Local Planning Authority;*
- *Given the presence of a former landfill adjacent the site, further justification is required for undertaking 3No ground gas monitoring visits over a period of 3No. weeks. The time period spent monitoring each location during each visit should also be included in the report;*
- *Calibration certificates should be provided for ground gas and PID monitors;*
- *Soils analysis does not include the following contaminants of concern identified in the Phase 1 report: VOCs and solvents/chlorinated solvents. Justification should be provided as to why these were not tested for or additional soils analysis should be undertaken;*
- *Further discussion is required on the potential risks from vapours. Lines of evidence should include concentrations of volatile compounds in soils (including VOCs and solvents/chlorinated solvents) and discuss the potential for groundwater as potentially significant source of vapour as a result of on-site / off-site sources;*
- *Given the absence of groundwater data, further discussion is required to justify the risk rating for groundwater. Discussion should include whether historical on-site activities may have impacted on the site's groundwater quality and whether lateral migration of contamination may be occurring as a result of this.*

Recommendations

We consider contaminated land matters at the site can be dealt with by a suitably worded planning condition.

The condition should require submission of the following documents, prepared in accordance with Environment Agency Land Contamination Risk Management (LCRM) guidance, to the Council for approval:

- *A Tier 1: Preliminary risk assessment which addresses information gaps identified in Planning Consultation Response ref. 23158101-WAT-XX-XX-TN-N-770035_P01_S1;*
- *A Tier 2: Generic quantitative risk assessment which addresses information gaps identified in this Planning Consultation Response (ref. 23158101-WAT-XX-XX-TN-N-770055_P01_S1);*
- *A Tier 3: Detailed quantitative risk assessment if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment;*
- *A Remediation Options Appraisal, Remediation Strategy and Verification Plan;*
- *A Remediation Verification report to demonstrate that risks have been reduced, the remediation objectives and criteria have been met, and the site is suitable for use.*

4.1.7 Landscape Officer: Made the following comments verbal comments

A tree protection and method statement would be required as condition of any development, prior to construction beginning on site.

4.1.8 Affinity Water: [No response received].

4.1.9 Thames Water: [No response received].

4.1.10 National Grid: [No response received].

4.2 Public/Neighbour Consultation

- 4.2.1 Neighbours consulted: 5.
- 4.2.2 Responses received: 3 (objections)
- 4.2.3 Summary of responses received:
- Inappropriate in the Green Belt.
 - Gap between settlements.
 - Overdevelopment, over-concentration of sites.
 - Impact on Wildlife and Ecology
 - Contaminated Land
- 4.2.4 Site Notice: Posted: 04.10.2025 Expired: 25.10.2025.
- 4.2.5 Press Notice: Not required.

5 Reason for Delay

- 5.1 Additional information required.

6 Relevant Planning Policy, Guidance and Legislation

- 6.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38 (6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

- 6.2 National Planning Policy Framework and National Planning Practice Guidance

In 2024 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

- 6.3 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local

Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP5, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM4, DM6, DM7, DM9, DM10 and DM13.

Policy AL3 and AL4 of the Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026).

6.4 Other Material Considerations

Planning Policy for Traveller Sites (PPTS) (updated December 2024).

Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025).

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

Human Rights Act 1998.

Equalities Act 2010.

Housing Act 2004.

Children Act 2004.

7 Planning Analysis

7.1 Principle of Development

7.1.1 Planning Policy for Traveller Sites was updated in December 2024 and is a material consideration in planning decisions. It should be considered in conjunction with the NPPF and sets out that the overarching aim of the Government is to ensure fair and equal treatment for travellers in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. To help achieve this, Planning Policy for Traveller Sites sets out a number of aims in respect of traveller sites:

- That local planning authorities should make their own assessment of need for the purposes of planning
- To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- To encourage local planning authorities to plan for sites over a reasonable timescale
- That plan-making and decision taking should protect Green Belt from inappropriate development
- To promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective

- For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- To increase the number of traveller sites in appropriate locations with planning permission to address under provision and maintain an appropriate level of supply
- To reduce tensions between settled and traveller communities in plan-making and planning decisions
- To enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- For local planning authorities to have due regard to the protection of local amenity and local environment.

7.1.2 Core Strategy Policy CP5 states that in considering planning applications for sites for Gypsies or Travellers, a criteria-based approach will be used. Criteria include avoiding an adverse impact on the openness of the Green Belt, being within or near to existing settlements with access to local services and the circumstances of the applicant and their need for pitches on the application site.

7.1.3 The application site is located within the Metropolitan Green Belt. Planning Policy for Traveller Sites paragraph 16 highlights that traveller sites (temporary or permanent) within the Green Belt are inappropriate development and that inappropriate development is harmful to the Green Belt and should not be approved. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

7.1.4 The NPPF and Core Strategy Policy CP11 also set out that there is a general presumption against inappropriate development in the Green Belt and this is reflected by Policy DM2 of the Development Management Policies document.

7.1.5 TRDC Local Plans have confirmed that the most recent Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025) concluded that there is a need for 41 additional pitches, over the period 2025-2041, for Gypsy and Traveller households that meet the planning definition. Furthermore, the application site was included within the emerging Local Plan Part II – Site Allocations document (January 2026), which identifies locations the council considers suitable for future development. Notwithstanding this, it is noted that the applicant has put forward a personal need to accommodate family members. Having regard to Policy CP5, the site is not at risk of flooding. Impacts on Green Belt are assessed below. In respect of the need to be in or near existing settlements, the site is close to and accessible from the village of Bedmond with existing residential development in the vicinity, which ensures there is suitable infrastructure and services nearby. Given the above, it is considered that, in principle, the use of the application site as a Gypsy/Traveller Site would be acceptable, subject to other material planning considerations.

7.2 Impact on the Green Belt

7.2.1 The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The National Planning Policy Framework sets out that Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

7.2.2 The NPPF sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt,

including harm to its openness (Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.2.3 Policy CP5 of endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. However, officers note that due to the make-up of the District, with a substantial percentage covered by the Green Belt designation, the majority of future proposals for gypsy traveller provision is likely to be within the Green Belt and thus will conflict with Policy CP5.
- 7.2.4 Paragraph 153 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As set out above, paragraph 16 of Planning Policy for Traveller Sites confirms that traveller sites are inappropriate development within the Green Belt.
- 7.2.5 Paragraph 154(h) sets that other forms of development are not inappropriate provided that 'they preserve its openness and do not conflict with the purposes of including land within in.' Other forms of development include:
- i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 7.2.6 The NPPF and Core Strategy CP11 also set out that there is a general presumption against inappropriate development in the Green Belt. Policy DM2 of the Development Management Policies document also advises that within the Green Belt, except in very special circumstances approval will not be given for new buildings other than those specified in national policy and other relevant guidance. The NPPF further advises that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.2.7 The proposal involves the material change of use of the land from pasture land to provide four gypsy/traveller pitches (4 static caravans (mobile homes), 2 amenity buildings and 2 caravans). The change of use would involve the introduction of six large urbanising structures and the spread of domestic paraphernalia in association with the residential use, into an existing site, which is at present void of any built form. The introduction of the proposed structures onto the site would introduce built form and would result in an erosion of the overall spatial sense of openness. There is no other built form within the site and wider site, which would offset this perception, and the spread of domestic paraphernalia and increased activity on the site would be notable from the public highway resulting in harm to the openness of the Green Belt.
- 7.2.8 The existing access to the site would be retained to the southeast corner with the erection of a new set of gates to replace the existing gates, set back 7m from the highway. Any gaps within the front boundary hawthorn hedgerow would be filled in and the first 15m of the site from the entrance would be kept as amenity space and soft landscaped, which would in turn limit the visibility of the structures, vehicles and domestic paraphernalia. However, it is

considered that the domestic paraphernalia could spread towards the highway which would result in an increased perception of domestication and urbanisation.

- 7.2.9 The material change of use would also involve the introduction of an area of hardstanding into the site from the highway. Given the nature of the hardstanding, there would be some visual impact due to its expanse, which would visually and spatially impact the openness of the Green Belt. However, the increased visibility of the land within the site would be limited, given the retention and enhancement of the existing hedgerow. Notwithstanding this, although the visual impact would be relatively limited, the expanse of hardstanding would result in an adverse effect on the openness of the Green Belt and would result in perceptible urbanisation, which would not be wholly mitigated by the existing boundary treatment. The screening in the form of the hedgerow to the boundary would vary dependent on the time of year. Landscaping as a sole means of screening cannot be relied upon to mitigate the visual impact on the Green Belt.
- 7.2.10 The purpose of the day room building would be for ancillary purposes to the primary use of the wider site. Whilst the NPPF is silent on ancillary buildings, Policy DM2 of the Development Management Policies document states that the Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:
- a) Be of a scale, design, height and bulk such that the building would not adversely affect the openness of the Green Belt.
 - b) Be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development
 - c) Avoid features normally associated with the use of a building as a dwelling
- 7.2.11 Having regard to the above criteria, the day room buildings would be positioned in between the proposed mobile homes, set back significantly from Toms Lane. In addition, the day room buildings would be central to the proposed pitches. Thus, the spread of development would be limited and contained. In addition, given their proposed single storey design, overall size, sympathetic exterior and location, should the use of the site be considered acceptable, it would be reasonable to require a dayroom for amenity purposes to serve the site, and therefore the dayrooms would comply with Policy DM2 in this regard. It is not considered that the level of hardstanding would be excessive so as to impact openness.
- 7.2.12 Whilst the outbuildings would comply with DM2, the use of the land to which they rely on is inappropriate by definition when assessed against para 154 and is harmful to the openness of the green belt and conflicts with one of the purposes - encroachment into countryside. Therefore, for the purposes of para 145, the development is inappropriate development, harms openness.
- 7.2.13 Notwithstanding the above, paragraph 155 of the NPPF states that the development of homes, commercial and **other development** in the Green Belt should also not be regarded as inappropriate where all of the following (a – d) apply. It is considered that the change of use of the land would fall within ‘other development’ in the Green Belt, which includes all other associated development which are intrinsically linked to the use of the land as residential:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

d) Where applicable the development meets the 'Golden Rules' requirements set out in the paragraphs 110 and 115 of this Framework'.

7.2.14 'Grey belt' excludes land where the application of the policies relating to the areas of assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. National Landscapes are a designated area of protection which is excluded from 'Grey Belt.'

7.2.15 For the purposes of plan-making and decision-making, Annexe 2 of the NPPF defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. These are taken in turn below:

a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

7.2.16 The Planning Policy Guidance (PPG) on Green Belt assesses the contribution to the purposes of the Green Belt.

a) to check the unrestricted sprawl of large built-up areas;

7.2.17 In this regard the site is clearly demarked from the surrounding landscape and bound by established mature trees and hedgerow. The development would generally conform to the established intermittent linear development of Toms Lane. The application site forms part of a relatively isolated and enclosed parcel of land, which is surrounded by natural features which would nullify the spread of further development. As the site is not located within a large built up it is considered to make a weak or no contribution to purpose a) and therefore meets this aspect.

b) to prevent neighbouring towns merging into one another;

7.2.18 The application site and proposal represent relatively small-scale development with linear development along Toms Lane, which is clearly distinct. As such, the proposal would not contribute to the merging of neighbouring towns nor impact on the setting of a historic town (purpose d). Given that the application site is considered part of Bedmond, a village, the PPG further emphasises that villages should not be considered as towns or large built up areas. As such, the development would not make a contribution to purposes b). and therefore meets this aspect.

d) to preserve the setting and special character of historic towns;

7.2.19 The development is not within a historic towns so would make a weak or no contribution to purpose d).

Summary of purposes and whether taken together the development would fundamentally undermine the purposes (taken together)

7.2.20 Overall, it is considered that the application site does not strongly contribute to any of purposes (a), (b) or (d). With regards to (c) to assist in safeguarding the countryside from encroachment; this is considered limited given the scale of the proposed development and existing and enhanced boundary screening. The development would not result in conflict with purposes d) or e). As a result, the development would not fundamentally undermine the purposes of the remaining Green Belt when taken together. As such, it is considered that the application site constitutes 'grey belt' land and would satisfy the first point of paragraph 155.

7.2.21 Nevertheless, in order to not be inappropriate development, the development must meet the following criteria.

b) There is a demonstrable unmet need for the type of development proposed

7.2.22 Footnote 56 of the NPPF (2024) states with regard to b) that in the case of traveller sites means the lack of a five-year supply of deliverable traveller sites assessed in line with Planning Policy for Traveller sites.

7.2.23 The Planning Policy for Traveller Sites (PPTS) was updated in December 2024 and included a change to the planning definition of Gypsies and Travellers for the purposes of planning policy, which has been amended as follows:

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'

7.2.24 The PPTS allows local authorities to make their own assessment of need for provision for Gypsies, Travellers and Travelling Showpeople within their relevant district. The assessments should be updated annually and identify a supply of specific deliverable sites to provide 5 years' worth of site against their locally set targets and identify locations for growth, for years 6 to 10, and where possible, for years 11 to 15.

7.2.25 As part of this application the Local Plans team confirmed that The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined.

7.2.26 As such, it is clear that there is a demonstrable need for the type of development proposed (gypsy/traveller pitches) within the District.

c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework.

7.2.27 Footnote 57 of the NPPF also sets out that in the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites Paragraph 13. Paragraph 13 of the PPTS sets out the following:

Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

a) promote peaceful and integrated co-existence between the site and the local community;

b) promote, in collaboration with commissioners of health services, access to appropriate health services;

c) ensure that children can attend school on a regular basis;

d) provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment;

e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development;

f) avoid placing undue pressure on local infrastructure and services;

g) don not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans and

h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

- 7.2.28 The application site is sited outside of any defined settlement boundary set out in the Core Strategy. However, paragraph 3.14 of the Core Strategy notes that development outside settlements is not necessarily precluded, proposals in such locations must be carefully justified given their lower accessibility and limited sustainability. The NPPF does not specify that a village must be designated in the development plan or specify what limits of the village should be. The definition of a village is a matter of planning judgement regardless of whether a site falls outside a designated settlement boundary. The site forms part of the linear development of Toms Lane, which has a semi-rural character, whilst there are examples of residential development extending to the rear of properties located on Toms Lane via private access tracks. In this regard, it is noted that the site would be sited approximately 0.3 miles from Bedmond, which is approximately a 7 minute walk. As such, it may be considered to lay within this village for the purposes of the NPPF. Bedmond would be safely accessible on foot and the site has some physical and functional relationship to the village of Bedmond. Furthermore, the application site is in very close proximity to the defined settlement boundary of Bedmond, a designated village with access to services such as the post office, shops, pub, bus service and nearby primary school.
- 7.2.29 With specific regard to Paragraph 13 of the PPTS, given the above, it is considered that the application site is in a sustainable location for Gypsy and Traveller pitches – there would be access to health services, schools and other basic services. The site would not require reliance on private motor vehicles. In light of the above, it is considered that given the specific merits of the site, the location of the site for use as a traveller site would be acceptable in the context of 155(c).
- 7.2.30 *d) Where application the development meets the ‘Golden Rules’ requirements set out in paragraphs 156-157.*
- 7.2.31 Policy E of the PPTS (December 2024) states that the Golden Rules, set out in Chapter 13 of the National Planning Policy Framework, do not apply to traveller sites and is therefore not applicable in the assessment of this application in respect of paragraph 115(d).
- 7.2.32 In conclusion, it is considered that the proposed change of use and associated development would satisfy the requirements of paragraph 155 and therefore is considered to be appropriate development within the Green Belt and no harm would automatically arise to the openness of the Green Belt as a result.
- 7.2.33 In summary, the change of use of the site for use as a Gypsy/Traveller Site would meet the exceptions of Paragraph 155 of the NPPF and therefore would represent appropriate development in the Green Belt. The proposal would therefore be in accordance with Policies CP1 and CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the National Planning Policy Framework.
- 7.3 Impact on the character and appearance of the streetscene and landscape
- 7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.
- 7.3.2 Policy DM7 of the Development Management Policies LDD states that the Council will require proposals to make a positive contribution to the surrounding landscape and that proposals which result in unacceptable harm to the character of the landscape in terms of siting, scale, design or external appearance will be refused.
- 7.3.3 Policy AL3 of the Abbots Langley Neighbourhood Plan (March 2026) states that all new development should reflect the character of the Character Area in which they are located. Policy AL4 further states that development proposals should demonstrate a high quality of

design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.

- 7.3.4 The application site is bound by vegetation and mature trees, which collectively supported by the enhanced boundary treatment to the front boundary would maintain a verdant character to the site. Whilst the existing access and proposed replacement gate, proposed amenity buildings, stationed mobile homes, caravans and vehicles would be visible from certain vantage points. Nevertheless, the application site is well screened along the front boundary by vegetation, which as indicated within submitted plans would be retained and filled in, which would be subject to a condition to ensure that the vegetation is retained and maintained. As such, any views of the proposed development would be limited through the access or through the existing vegetation and mature trees.
- 7.3.5 The proposed development would be well set back from the highway by approximately 15m, with a buffer area of vegetation retained to the front boundary. The proposed layout would also be consistent with other development, set back from the highway within the streetscene and locality where built form is set back from the road and include soft landscaping and hedging to the front boundary. The proposed pitches and amenity building would be set back from the front boundary, which would be against the backdrop of dense tree lined boundaries including woodland to the east. Furthermore, the proposed amenity buildings and mobile homes would be of simple form, single storey in nature and would be of a size that would be considered as reasonably necessary to serve the site.
- 7.3.6 The streetscene of Toms Lane is varied in terms of architectural designs and styles of dwellings, with the Pavilion sited opposite the application site. As such, it is not considered that the proposed mobile homes, amenity buildings or associated hardstanding would result in harm in terms of the character or appearance of the streetscene or wider area. The proposed development would be within the confines of the site, which would be largely obscured from the streetscene of Toms Lane. Therefore, given that the development is well screened from public vantage points, it is not considered that the proposed development would appear unduly prominent within the streetscene of Toms Lane, have a similar relationship as an existing property at No. 235, being immediately adjacent to woodland nor result in harm to the character or appearance of the streetscene or wider area. Any approval would be subject to a condition requiring details of the proposed enhanced boundary treatment to be submitted for approval, and implemented and maintained,
- 7.3.7 It is considered reasonable to attach conditions to ensure that the stationing of vehicles is reserved for the hardstanding only and would not be sited beyond its permitted extent nor should lighting be erected in these locations outside of the proposed site boundary. A condition would also be attached to any consent to required details of the proposed hard surfacing in terms of its materials and permeability.
- 7.3.8 In summary it is not considered that the proposed development would result in an adverse impact on the character or appearance of the host dwelling, street scene or area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM7 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policies AL3 and AL4 of the Abbots Langley Neighbourhood Plan (adopted March 2026).
- 7.4 Impact on amenity of neighbours
- 7.4.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.
- 7.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties

nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

- 7.4.3 The proposed mobile homes and ancillary buildings would be set back a minimum of 15m from the highway and would not be visible from any neighbouring dwellings. In addition, only limited views would be available, the boundaries defined by a dense row of vegetation including mature trees with the front boundary hedging enhanced, which would provide screening. Notwithstanding this, the application site is well contained and would be sited a minimum of 120m from any residential properties. Thus, given the location of the proposed built form it is not considered to result in harm by virtue of a loss of light or overbearing impact.
- 7.4.4 In summary, the proposed development would not result in any adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.5 Highways, Parking and Access

- 7.5.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.5.2 Policy CP5 of the DMP LDD sets out that when considering planning applications for sites for Gypsies and Travellers, the provision of safe and convenient vehicular and pedestrian access to the site and adequate on-site facilities for parking will be considered.
- 7.5.3 In terms of parking, there are no specific parking standards for traveller sites; however, the submitted layout of the site shows that there would be six parking spaces. This is considered to be sufficient and the proposal is considered to be acceptable in this regard.
- 7.5.4 Hertfordshire Highways and Herts Fire and Rescue have been consulted on the proposed development with regards to access arrangements. The site would utilise the existing access. The amended plan sent during the course of the application provided a turning point for larger vehicles including emergency vehicles can access and turn around within the site; which raised no objection from Hertfordshire Highways, subject to informatives.
- 7.5.5 Hertfordshire Highways and Herts Fire and Rescue have confirmed that the submitted details are acceptable, and the proposal would not result in any harm in this regard. An acceptable visibility splay currently exists and there are no changes proposed to the existing access.

7.6 Trees & Landscape

- 7.6.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.
- 7.6.2 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.6.3 There are a number of mature trees within and surrounding the application site, whilst not protected, which contribute to the visual amenity of the streetscene and area. The Landscape Officer was consulted during the application and advised that a tree protection

plan and method statement would be required as condition of any development, prior to construction beginning on site.

7.6.4 A proposed Landscaping & Planting Schedule, Plan No. JS06 plan has been submitted with the application, which shows that the existing on-site trees would be retained and have been considered as part the Landscaping Plan and Planting Schedule, which would be subject to a condition and therefore would be acceptable in this regard.

7.6.5 The proposed development would not require the removal of any trees nor is considered to result in any harm to others. However, to ensure the protection of trees on and adjacent to the site, any application approval would be subject to a tree protection and method statement condition.

7.7 Biodiversity and BNG

7.7.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Preliminary Ecological Appraisal was submitted with the application and has been reviewed by Hertfordshire Ecology. It states that a construction Ecological Management Plan is recommended as a condition and that opportunities exist for the provision of ecological enhancements including bat and bird boxes, log piles for invertebrates and reptiles.

7.7.3 Herts Ecology have reviewed the application and advised the application is acceptable, subject to conditions. This would be with regard to ensure protected species such as bats, badgers, hedgehogs, nesting birds and Great Crested Newts are safeguarded based on the mitigation set out in the submitted Preliminary Ecological Appraisal by Geosphere Environmental Ltd dated 07/07/2025.

7.7.4 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% biodiversity value. This is subject to exemptions as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.7.5 For BNG purposes, a single pitch for a Gypsy/Traveller site, which typically includes space for a mobile home, touring caravan, and utility building, is generally not considered as a self-build dwelling as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 for the purposes of BNG. In this case the biodiversity net gain condition is considered to apply, with the self-build and custom build exemption, detailed with the submitted application form and Supporting Statement, not considered applicable. A mobile home (caravan) or touring caravans are not considered to meet the legal definition of building a "house" in this context.

7.7.6 A BNG Assessment has accompanied the application, which has been reviewed by Hertfordshire Ecology. The proposed development would be able to meet a 10% biodiversity net gain on site through significant on-site enhancement of habitats and hedgerow. Herts Ecology advise that on-site biodiversity enhancement should be

conditioned for a minimum period of 30 years. Full detail would be required as part of the mandatory BNG condition.

- 7.7.7 As set out above, the Biodiversity Gain Hierarchy requires adverse effects to be compensated by prioritising enhancing existing habitats including creating new habitats, subject to approval of a Biodiversity Gain Plan demonstrating delivery in accordance with the proposed biodiversity enhancements. The LPA will be required to consider the Biodiversity Gain Plan condition before any works take place. Owing to the nature of the site and proposal, it is considered that securing the biodiversity net gain through conditions is the most appropriate means in this instance and therefore acceptable.
- 7.7.8 These planning conditions will ensure that the Biodiversity Gain Plan is prepared in accordance with the Biodiversity Net Gain Assessment (24/09/2025), the submission of a Habitat Management and Monitoring Plan (HMMP) which includes the monitoring methodology to be submitted to the LPA on year 2, 5, 10, 15, 20, 25 and 30), that the LPA is notified that the HMMP has been implemented, that no occupation of the units shall take place until the HMMP have been completed and submission of a completion report, the created or enhanced habitat approved by the HMMP shall be managed and maintained in accordance with the HMMP for 30 years from the date of first occupation and the submission of monitoring plans in accordance with the methodology and frequency as specified in the approved HMMP.
- 7.7.9 The development is considered acceptable in that the 10% biodiversity net gain would be secured on site. Consequently, no objections are raised in this regard. Further conditions would also be considered appropriate to mitigate the impact of lighting on bats and a Construction Environmental Management Plan to ensure ecology is protected on the adjacent sites, both of which would be subject to a condition.
- 7.7.10 In summary, subject to conditions, it is considered that the proposed development would secure a significant biodiversity net gain and is therefore acceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

7.8 Contamination

- 7.8.1 The Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated, where the Council is satisfied that:
- i) There will be no threat to the health of future users or occupiers of the site or neighbouring land; and
 - ii) There will be no adverse impact on the quality of local groundwater or surface water quality.
- 7.8.2 Given the presence of a former landfill adjacent to the site, there are associated risks from landfilling, storage and use of fuels, fertilisers, pesticides and herbicides, asbestos containing and other activities.
- 7.8.3 The Environmental Health Officer (EHO) was consulted on this application following the submission of an Environmental Phase 1 and 2 report during the course of the application. The reports noted no visual indications of contamination, significant odours during the investigation and included various soil samples. The EHO has provided comments where they raised no objection subject to conditions.
- 7.8.4 An assessment of the risks associated with the site was considered necessary and thus any grant of planning permission would include conditions regarding contamination as set out in the response from the EHO and if any is found during construction details of mitigation measures should be submitted. Thus, subject to conditions, the proposed development is

considered acceptable on contamination grounds in respect of Policy DM9 of the Development Management Policies LDD.

7.9 Refuse and Recycling

7.9.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity

ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers

iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.9.2 The submitted Block Plan JS02 V4 details the bin storage areas to the side of two of the mobile homes, which could be brought to the front of the properties on collection day or accessed from within the site. This is considered acceptable arrangements for refuse/recycling on collection days. As such, the proposed development has demonstrated that there would be adequate provision for the storage and collection of refuse and recycling, in accordance with the requirements of Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

7.10 Drainage and Waste Water

7.10.1 The application site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to an Affinity Water Pumping Station (HUNT). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd (AW).

7.10.2 A condition would require the submission and approval of a Waste Water Scheme and confirmation from Thames Water demonstrating connection to the existing sewer network. As such, subject to the recommended condition, the proposal is considered to be acceptable in this regard.

7.11 Other material considerations:

7.11.1 It is important to consider whether there are any other material planning considerations as part of the application assessment..

7.11.2 Planning Policy for Traveller Sites sets out that Local Planning Authorities should consider the following issues amongst other relevant matters when determining planning applications for traveller sites:

- a) The existing level of local provision and need for sites
- b) The availability (or lack) of alternative accommodation for the applicants
- c) Other personal circumstances of the applicant
- d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) That they should determine applications for sites from any travellers and not just those with local connections.

7.12 ***The general need for and supply of Gypsy sites in Three Rivers***

- 7.12.1 The PPTS allows local authorities to make their own assessment of need for provision for Gypsies, Travellers and Travelling Showpeople within their relevant district. The assessments should be updated annually and identify a supply of specific deliverable sites to provide 5 years worth of sites against their locally set targets and identify locations for growth, for years 6 to 10 and, where possible, for years 11-15.
- 7.12.2 The existing number of traveller sites includes 30 pitches across five permanent sites; The Oaklands in Bedmond (unrestricted up to 12 pitches), Rear of 59 Toms Lane in Kings Langley (personal restriction up to 5 pitches); Fir Trees (unrestricted to persons who meet the gypsy definition up to 2 pitches), the Land at Langleybury (personal restriction up to 10 pitches) and the Land South of Old House Lane (1 pitch). This is further outlined within the table below:

Current level of gypsy pitches in TRDC	Number of pitches granted	Number of pitches implemented	Status	Expiry date
The Oaklands, Bedmond	12	12	Permanent	N/A
Fir Trees, Sarratt	2	2	Permanent	N/A
Rear of 59 Toms Lane, Kings Langley	9	9	Permanent	N/A
Langleybury Lane, Langleybury	17	17	Permanent	N/A
Land South of Old House Lane	1	1	Permanent	N/A
Land Adjacent 321B Uxbridge Road, Rickmansworth	1	0	Permanent	Expired
Keepers Cottage	1	2	Permanent	N/A

- 7.12.3 In July 2025 the Council's Gypsy and Traveller Accommodation Assessment (GTAA) identified a total need of 41 pitches. The assessment calculated a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. Following the approval of the planning permission at Land South of Old House Lane, the total need identified within the GTAA is now 40. As such, it is clear that there is a demonstrable need for gypsy/traveller pitches within the District. Consequently, subject to the occupants meeting the definition of a gypsy/traveller, there is an identified need within the district. When applying PPTS (paragraph 27) the lack of an up-to-date 5 year supply of deliverable sites should be a significant material consideration, given the Council cannot demonstrate a 5 year supply, this would weigh in significantly in favour of the application.

7.13 Alternative Sites

- 7.13.1 The existing pitches with planning permission in the district are private sites and there are substantial waiting lists for pitches on public sites within Hertfordshire.
- 7.13.2 Policy CP5 of the Core Strategy endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. As such, it is likely that any development which comes forward in the Green Belt, which is highly likely given the make-up of the district, would fall foul of this policy. Given that the above assessment considers

that the site is not Green Belt land, other sites in the District could potentially fall on Green Belt land which could have a greater harmful impact.

- 7.13.3 The lack of alternative sites and the fact that alternatives are likely to be in the Green Belt, given that 77% of Three Rivers District is within the Green Belt, are further considerations which weigh in favour of the application.

7.14 Needs of the applicant and their personal circumstances

- 7.14.1 Planning Policy for Traveller Sites sets out that for the purposes of planning policy, gypsies and travellers means:

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'

- 7.14.2 The Design and Access Statement confirms that this application is for four residential Gypsy and Traveller pitches and that the applicant and family are members of the Gypsy/Traveller community and has Gypsy status for planning purposes. The Council is not in possession of any evidence to dispute the applicant's status as a Gypsy/Traveller. In terms of the future occupiers who would occupy the four new pitches, the Design And Access Statement and Supporting Statement confirms the names of the future occupiers. The future occupiers are all related to the applicant. Nine future occupiers are the parents, sister, adult children and partners of the applicant and would move into their own homes on the new site. The Council is not in possession of any evidence to dispute the information gained.

- 7.14.3 The Design and Access Statement details that their current site is doubled up and overcrowded in excess of the fire and safety standards and that it is important for the family to have a stable place to live for various reasons including access to education, healthcare, welfare, employment infrastructure, social and community cohesion. Evidence of such medical reasons have also been submitted, signifying the personal circumstances of the applicant's family members.

- 7.14.4 In respect of the occupants, it is noted that four of the proposed nine occupants have existing health conditions, which require additional support. This support is currently offered by another one of the future occupiers. It is therefore clear that there are matters which weigh in favour of allowing the future occupants to have a settled base.

- 7.14.5 In light of the above, the personal circumstances highlighted would add further weight harm to establish very special circumstances if required; they are a material consideration, which weighs in favour of the application.

7.15 Sustainability and Suitability of Site

- 7.15.1 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 7 of the NPPF states that there are three dimensions to sustainable development – economic, social and environmental and that it is not sufficient to consider each dimension in isolation; there must be a balance between the three.

- 7.15.2 Core Strategy Policy CP1 also seeks to promote sustainable development and as part of this requires applications for new residential development to be accompanied by an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the design, construction and future use of proposals.

- 7.15.3 The application site is considered to be conveniently located in terms of access to health services with access by foot and or public transport to local services, including shops,

schools and healthcare. As such, it is considered that the site meets the overall thrust of guidance on sustainable development in the NPPF and PPTS and therefore was considered an acceptable location.

7.16 *Engagement with Human Rights Act*

- 7.16.1 When considering an application for planning permission for gypsy pitches, the Council needs to consider whether Article 8(1) of the European Convention on Human Rights (ECHR) is engaged. Article 8(1) provides that everyone has the right to respect for his private and family life, his home and his correspondence. Case law has established that Article 8(1) of the ECHR is engaged in applications for planning permission for residential Gypsy caravan pitches irrespective of whether the applicants are occupying the site as their home at the time the application is made.
- 7.16.2 Article 8(2) of the ECHR allows interference by a public authority with the right to respect for private and family life where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedom of others.
- 7.16.3 Case law has also established that the greater interference with ECHR rights, the greater will be the need to justify the interference by reference to necessity and proportionality. The concept of proportionality can be equated to the balancing exercise which should be undertaken by all decision makers and in the case of applications for Gypsy sites, any action must be evenly balanced and fully considered in order to avoid the criticism that it is disproportionate relative to the harm caused. These cases suggest that legally it will not be sufficient for local authorities to rely on a breach of Development Plan policies in refusing planning permission. Rather there must be clear evidence of demonstrable harm which outweighs the consequences of the Council's decision for Gypsies. There is thus a need for the Council to weigh demonstrable harm against the consequences of a refusal for the applicant, including health, education, other social issues and the availability of alternative sites. It has however been found that the fact that no alternative site has been identified does not necessarily mean that it is disproportionate to refuse planning permission.

7.17 Planning Balance

- 7.17.1 Having regard to all matters raised above it is also necessary to ascertain whether any other harm, if found, is clearly outweighed by material considerations, to justify the grant of planning permission. It is not considered appropriate or reasonable to grant a temporary planning permission in this instance.
- 7.17.2 As highlighted above, the proposal constitutes appropriate development within the Green Belt. Furthermore, given the enclosed nature of the site no other harm was found during the assessment. Nevertheless, it is still considered important to review the circumstances and benefits of the development.
- 7.17.3 During the planning assessment it was found that various factors weigh in favour of the development. These include meeting an identified need for gypsy and travellers meeting the definition (which has been confirmed) within the District, the lack of 5-year-supply of deliverable sites, current lack of alternative sites, the fact that other sites are also likely to fall within the Green Belt and the personal circumstances of the occupants. Further factors to consider include that the site would not result in encroachment into the countryside. Additionally, the grant of permanent planning permission would count towards the District's need.
- 7.17.4 To conclude, when considering the factors in support of the proposal, it is considered that the material considerations have cumulatively substantial weight, which would outweigh any inappropriateness associated with the proposed development. As such, if required, it is

considered that 'very special circumstances' exist to justify the grant of permanent planning permission.

8 Recommendation

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), JS02 V4, JS03 V2, JS04 V2, JS05, JS06 V3.

Reason: For the avoidance of doubt and in the proper interests of planning, the protection of the openness and rural character of the Metropolitan Green Belt and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP5, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM7, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C3 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd.
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to biodiversity during construction and to meet the requirements of

Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C4 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to the commencement of development hereby permitted, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- A Tier 1: Preliminary risk assessment and Tier 2: Generic quantitative risk assessment (addressing information gaps).
- A Tier 3 Detailed quantitative risk assessment if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment.
- A Remediation Options Appraisal, Remediation Strategy and Verification Plan
- A Remediation Verification report to demonstrate that risks have been reduced, the remediation objectives and criteria have been met, and the site is suitable for use.

The remediation strategy shall give full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C6 No development works shall take place until a waste water scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details before the first occupation of the development hereby approved.

Reason: To provide confirmation that there will be no discharges to the environment to ensure the protection of the aquifer within the source protection zone for public drinking water in accordance with Policy DM8 of the Development Management Policies document (adopted July 2013).

- C7 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to the first use of the site in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C8 The application site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: To safeguard the provision of gypsy/traveller pitches in accordance with the identified need in accordance with the Gypsy and Traveller Accommodation Assessment (July 2025) and Policy CP2 of the Core Strategy 2011.

- C9 No more than 6 caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended, (of which no more than 4 shall be a static caravan) shall be stationed on the site at any time.

Reason: To protect the character and appearance of the area in accordance with Policy CP1, CP12 of the Core Strategy (adopted October 2011).

- C10 The two amenity buildings hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, or ancillary to, the use of the land hereby permitted located on the site and it shall not be used as an independent dwelling or for commercial use at any time.

Reason: The creation and use of a separate and independent unit would not comply with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C11 No commercial activities shall take place on the land, including external storage of any kind (unless associated with the construction of the permitted day rooms).

Reason: To protect the character and appearance of the area in accordance with Policies CP1, CP5 and Cp12 of the Core Strategy (adopted October 2011).

- C12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C13 The Biodiversity Gain Plan and Habitat Management and Monitoring Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment dated 24 September 2025 and prepared by arbtech.

Reason: This is to ensure that the biodiversity and ecological information submitted with the planning application is realised through the Biodiversity Gain Plan, in the interests of local biodiversity and to ensure biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C14 The created and / or enhanced habitat shall be managed and maintained in accordance with the approved Biodiversity Gain Plan for 30 years from the date of first occupation of the development.

Reason: To ensure that the created and enhanced habitat is maintained for 30 years from the first occupation of the development and can be monitored and enforced by the Local Planning Authority, in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013) and for the purposes of para 9(2) and 9(3) of Schedule 7A of the Town and Country Planning Act 1990.

- C15 Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved Biodiversity Gain Plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C16 The use of the land as traveller pitches shall not be occupied until a hard landscaping scheme has been submitted to and approved in writing by the Council.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C17 All soft landscaping works required by the approved scheme shall be carried out in accordance with submitted plan No. JS06 (Proposed Landscaping & Planting Schedule) before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C18 The development shall be carried out in accordance with the biodiversity mitigation measures relating to lighting in the Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd. All the measures and features listed shall be implemented in full and all the measures and features shall thereafter be permanently retained.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

- C19 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the application site (as enclosed in red on drawing number TRDC 001 (Location Plan)).

Reason: To protect the character and appearance of the area in accordance with Policies CP1, CP5 and CP12 of the Core Strategy (adopted October 2011).

- C20 When the premises cease to be occupied, the use hereby permitted shall cease and all caravans, buildings and structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of the case which constitute very special circumstances in accordance with Policies CP5 and CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

- 11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

- (a) Making a Non-Material Amendment
- (b) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 14 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun (Phase Plans).

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

- 15 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 16 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 17 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.





PLANNING COMMITTEE – Wednesday 27 May 2026

25/0980/RSP – Part Retrospective: Removal of original front canopy porch; removal of original chimney stack; removal of original ridge tiles and finials; removal of original bargeboards; construction of single-storey front extension, including new porch with new front door and fenestration and window to replace garage door; replacement windows; construction of new chimney stack; cream painted render; replacement ridge tiles and finials, construction of single-storey rear extension and associated raised patio; rear rooflight; removal of front landscaping and driveway extension; and alterations to front boundary treatment, including brick slips to rendered front walls at SANDS, SHIRE LANE, CHORLEYWOOD, RICKMANSWORTH, HERTFORDSHIRE, WD3 5NH

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 20.08.2025
Extension of time: agreed to 29.05.2026

Ward: Chorleywood South & Maple Cross
Case Officer: Tom Norris

Recommendation: That Part Retrospective Planning Permission be granted subject to conditions.

Reason for consideration by the Committee: Called in by Chorleywood Parish Council unless Officers are minded to refuse due to the impact on the Conservation Area and neighbours.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= SXDBCXQFGRX00>

1. Relevant Planning & Enforcement History

- 1.1 25/0981/RSP – Part-retrospective: Loft conversion including construction of rear dormer, removal of chimney stack; removal of ridge tiles and finials; and first floor side extension. – 22.04.2026 – **Refused**

R1 The proposed development, including the retention of the rear box dormer, by virtue of its scale, external finish material and fenestration detailing; and proposed side extension, by virtue of its scale, introduces incongruous features which harm the character and appearance of the dwelling, neither preserving or enhancing the character and appearance of the dwelling. Furthermore, the individual and cumulative removal of original features associated with the loft conversion, including the chimney stack, crested ridge tiles, and finials has harmfully eroded the positive contribution that the dwelling made to the Chorleywood Station Estate Conservation Area. The collective impact of the proposal therefore erodes the positive contribution the dwelling has towards the Chorleywood Station Estate Conservation Area and results in a moderate level of less than substantial harm to the significance of this designated heritage asset. The public benefits identified do not outweigh the harm. The development is therefore contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policies 1 and 2 of the Chorleywood Neighbourhood Plan (August 2020), Chorleywood Station Estate Conservation Area Appraisal (2005), and the NPPF (2024).

- 1.2 24/0581/RSP - Part Retrospective: Demolition of existing utility room and rear window; construction of single storey rear extension, conversion of garage into habitable accommodation; insertion of rear dormer; internal alterations and alterations to fenestration - 19.06.2024 – **Refused**

R1 The development by virtue of the collective loss of key traditional and original characteristic features such as the chimney, front entrance door, front porch canopy and front windows has unacceptably eroded the character and appearance of the host dwelling. Furthermore, it is considered that the proposed single storey rear extension and rear dormer window are further unsympathetic additions to the host dwelling by virtue of their design and in respect of the dormer its lack of subordination and fenestration detailing. The collective impact of the development would therefore adversely affect the character of the dwelling which in turn has a negative impact upon its contribution towards the character and appearance of Chorleywood Station Estate Conservation Area. The proposed development would result in less than substantial harm when considered against paragraph 208 of the National Planning Policy Framework (2023) (NPPF); however, no public benefits have been identified which outweigh the harm. As such the development is contrary to Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (2013), Policies 1 and 2 of the Chorleywood Neighbourhood Plan (2020), the Chorleywood Station Estate Conservation Area Appraisal (2005) and the NPPF (2023).

1.3 24/0053/COMP – Enforcement Case: Unauthorised Building works – Pending investigation (see paragraph 2.4).

2. Site Description

2.1 The application site contains a detached dwelling located on the south-eastern side of Shire Lane, Chorleywood.

2.2 The application site is located within the Chorleywood Station Estate Conservation Area. The land levels slope downward in an eastern direction on the street. The area can be characterised by Victorian and Edwardian detached dwellings of varied design.

2.3 Prior to any works being undertaken, the application dwelling was a good example of the Victorian/Edwardian era development found within the Conservation Area and made a positive contribution to the character and appearance of the Conservation Area, largely through its historic interest and architectural features.

2.4 Unauthorised works have been carried out to the dwelling prior to obtaining any form of planning permission. Such works included the removal of architectural features, including the original chimney stack, crested ridge tiles and finials, and decorative bargeboards. An attractive front canopy porch feature has also been removed and replaced with a new enclosed porch. The pre-existing windows have been removed and replaced with new uPVC windows. The pre-existing roughcast render has been removed and replaced with new smooth white render. The pre-existing front door has been removed and replaced with a modern uPVC front door. A loft conversion has been undertaken including the construction of a flat roofed box dormer within the rear roofslope. A single-storey rear extension has been constructed with an associated raised patio. A new first-floor window has been inserted within the front elevation to the existing side extension. The pre-existing part landscaped frontage has been replaced with a gravel driveway. The low red brick walls and brick piers within the site frontage have been rendered with smooth white render.

2.5 An Article (4) Direction exists across the Conservation Area which removes the permitted development rights in relation to the Schedule 2, Part 1 - Classes A, C, D, E, F, H, Part 2 - Classes A and C and Part 31 - Class B.

3. Proposed Development

3.1 This application seeks part retrospective planning permission for the removal of original front canopy porch; removal of original chimney stack; removal of original ridge tiles and finials;

removal of original bargeboards; construction of single-storey front extension, including new porch with new front door and fenestration and window to replace garage door; replacement windows; construction of new chimney stack; cream painted render; replacement ridge tiles and finials, construction of single-storey rear extension and associated raised patio; rear rooflight; removal of front landscaping and driveway extension; and alterations to front boundary treatment, including brick slips to rendered front walls.

- 3.2 This application includes remedial works to rectify features removed from the dwelling and for a single-storey rear extension. A rear dormer window has been constructed to the main roof of the house however this was subject to a separate application which has been refused (25/0981/RSP). **This feature, while in-situ, does not form part of this application.**
- 3.3 As discussed above, pre-existing features to the dwelling have been removed, including the front canopy porch; chimney stack; ridge tiles and finials; and bargeboards. A single-storey front extension, including new porch with new front door and fenestration, has been constructed. The windows have also been replaced.
- 3.4 As part of remedial works, it is proposed that:
- A new chimney stack is constructed to replace the one removed.
 - The existing bright white render is painted in a cream colour.
 - Crested ridge tiles and finials are installed to the main ridge and front-facing gables.
 - Decorative timber bargeboards are reinstated to the front porch and gable to reflect the pre-existing.
 - The modern front door which is currently installed is replaced with a timber panelled door with associated glazing.
 - The existing windows are retained however solid glazing bars would be installed to the front windows.
 - A brick finish is applied to the rendered parts of the front wall to match the rest of the wall.
- 3.5 The landscaping to the site frontage has been removed and replaced with a gravel driveway. This is proposed to be retained.
- 3.6 A single-storey extension and raised patio have been constructed at the rear of the dwelling. The single-storey rear extension has a depth of 4.5m, a width of 7.8m, and has a flat roof, with an overall height of 3.0m. The raised patio has a depth of 2.0m, and a maximum height of 0.9m. The extension currently has a facing brick exterior finish and black framed rear doors and glazing. It is proposed that the extension is rendered in a colour to match the new off-white colour the dwelling is proposed to be painted.
- 3.7 Amended plans were received during the application. The original application proposed to regularise works carried out, with limited to no works to reinstate any features unlawfully removed from the dwelling. The amended plans proposed to reinstate features, which are all described above. The amended plans were accompanied by a materials schedule. All neighbours and consultees were re-consulted on amended plans.

4. Consultee Responses

4.1 Chorleywood Parish Council: **Objection**

Comments of 31.03.2026

The Committee wish to CALL IN this application with no changes to the original Call In. There have been no material changes and maintain the Call In as below.

The Committee had Objections to this application on the following grounds and wish to CALL IN, unless the Officers are minded to refuse.

- The applications (25/0980 and 25/0981) should be considered together as both the Local Plan Development Management Policies (DM1) and the Chorleywood Neighbourhood Development Plan explicitly require that the cumulative effect of applications is considered.
- The Committee noted that a similar proposal had been refused permission previously and, whilst there have been changes, in combination the two applications (25/0980 and 25/0981) are materially the same as the previous applications. Splitting the two planning applications in this way was artificial; it was not possible to determine one without considering the other.
- The Committee considered that the scale, size, mass and form of the rear extension proposed is out of keeping with the current dwelling and with dwellings in the Conservation Area generally.
- The square, flat-roofed form of the extension is not consistent with the design of the house, and this is exacerbated when considered in combination with the dormer proposed under 25/0981.
- The proposed development was also so close to the boundary with the neighbouring property that it appeared unneighbourly and had the potential to affect the amenity of the residents of the neighbouring property.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended.

Comments of 01.08.2025

The Committee had Objections to this application and application reference 25/0981 on the following grounds and wish to CALL IN, unless the Officers are minded to refuse.

- The applications (25/0980 and 25/0981) should be considered together as both the Local Plan Development Management Policies (DM1) and the Chorleywood Neighbourhood Development Plan explicitly require that the cumulative effect of applications is considered. The Committee noted that a similar proposal had been refused permission previously and, whilst there have been changes, in combination the two applications (25/0980 and 25/0981) are materially the same as the previous applications. Splitting the two planning applications in this way was artificial; it was not possible to determine one without considering the other.
- The Committee considered that the scale, size, mass and form of the rear extension proposed is out of keeping with the current dwelling and with dwellings in the Conservation Area generally. The square, flat-roofed form of the extension is not consistent with the design of the house, and this is exacerbated when considered in combination with the dormer proposed under 25/0981.
- The proposed development was also so close to the boundary with the neighbouring property that it appeared unneighbourly and had the potential to affect the amenity of the residents of the neighbouring property.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended.

4.2 Conservation Officer:

Since the receipt of the below written comments, in which this consultee raised an objection, the proposed development has been discussed verbally with this consultee throughout negotiation and receipt of amendments. Officers agree with the level of harm identified by the Conservation Officer regarding the unlawful works undertaken. No further written comments have been received.

Written comments of 17.11.2026

Heritage Significance

The property is in the Chorleywood Station Estate Conservation Area. The adopted Conservation Area Appraisal (CAA) adopted in 2005 highlights the mix of Victorian and Edwardian buildings and that it is a very good example of the Victorian/Edwardian era planned development, with uniquely designed houses. The property is within the Shire Lane Sub Area in the CAA. A nearby property within the Conservation Area is the Grade II Listed Roman Catholic Church of St John Fisher (List Entry Number 1100866), which was designed by the famous Arts and Crafts architect C.F.A Voysey. Voysey's self-designed home The Orchard which is Grade I listed (List Entry Number:1348234) is further to the southwest on Shire Lane, although outside the Conservation Area.

Sands is highlighted as being of special interest within the CAA appendix, with the rough-cast walls and timber windows highlighted, with the only detracting feature highlighted as the flat roofed garage. Prior to the recent works, the property made a positive contribution to the character and appearance of the Conservation Area, largely through its historic interest and architectural features such as the use of roughcast, small front dormer and decorative detail to the roof, front dormer, front door surround, etc.

Planning History

An application was refused in 2024 under reference 24/0581/FUL; the Conservation Officer consultation response raised concerns in relation to the proposed rear box dormer, the loss of the porch and chimney and concerns around impacts from works to the windows.

In response to unauthorised works, a Conservation Officer consultation response raised concerns in relation to removal of the chimney, removal of the decorative ridge tiles, replacement of the front dormer, alterations to the front gable, addition of a large front porch and large rear dormer, replacement of rough cast render with a smoother render, addition of gravel to the front of driveway and two white rendered pillars added adjacent to the existing flint wall. The loss of architectural detailing of the property and other alterations described above resulted in harm to the Arts and Crafts character of the property, and resultant harm to the character of the Conservation Area.

Current Proposal

In the current proposal, the plans appear to show no rear dormer and replacement of the pre-existing chimney, and replacement of the removed roof ridge tiles, which would all be supported in heritage terms.

A single storey rear extension could be acceptable in principle, but the depth, design and extent of glazing with modern black aluminium framing is harmful in heritage terms and is not supported.

There is no in-principle objection to the conversion of the garage into a habitable space, but the current windows in the garage are not in keeping with the traditional character and are not supported.

The new window proposed to the first-floor side extension would not be in keeping with the original character and would not be supported.

The retentions of replacement of all previous timber framed single glazed windows with uPVC double-glazed windows and use of a high security aluminium door would be harmful

to the tradition character and would not be supported. The retention of the porch as built would not be supported.

The alterations to the driveway including gravel and white posts are harmful in character and are not supported.

In addition, this application has been submitted concurrently with application reference 25/0981/RSP, which includes retention of several works that would be harmful to the character of the property and the Conservation Area.

For the reasons highlighted above, the works would not preserve or enhance the character of the Conservation Area and would be contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act. The National Planning Policy Framework (NPPF) paragraph 212 requires great weight to be given to the asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. The degree of harm would be less than substantial as per paragraph 215.

4.3 National Grid (Gas): No response received.

5. Neighbour Consultation

5.1 Site/Press Notice:

- Site notice posted: 22.07.2025, expired: 12.08.2025.
- Press notice published: 04.07.2025, expired: 25.07.2025.

5.2 No. consulted: 13.

5.3 Neighbours were consulted on 26.06.2025 on the originally submitted plans and then re-consulted on 10.03.2026 on amended plans.

5.4 Number of responses received: 2 (Objection)

5.5 Summary of responses:

- The plans do not reflect what has been built.
- Some works have not been finished properly.
- Concerns from overlooking from dormer and flank windows which are not obscure glazed.
- Original and period features to the property have been removed.
- Amended plans have addressed certain items.
- Parallel application for rear dormer has not been taken into consideration.
- Objection to the scale of rear dormer.
- Changes will not bring property back to its previous heritage appearance.
- Enforcement notice has been ignored.
- Lack of regard for the Conservation Area.

Officer comment: As referenced in throughout report, the rear dormer and the separate application that this is subject of (25/0981/RSP) has been **refused**. This does not form part of this proposal and, as an isolated feature, has been deemed as unacceptable thus has been refused.

5.6 All other material planning considerations are addressed in this report.

6. Relevant Local and National Policies

6.1 Legislation

- 6.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).
- 6.1.2 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.1.3 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 6.1.4 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.
- 6.1.5 The Environment Act 2021.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

- 6.2.1 In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.
- 6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

- 6.2.3 The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.
- 6.2.4 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, and CP12.
- 6.2.5 The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM9, DM13 and Appendices 2 and 5.
- 6.2.6 Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020). Relevant policies include Policy 1 and Policy 2.

6.3 Other

- 6.3.1 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015)

6.3.2 Chorleywood Station Estate Conservation Area Appraisal (2005).

6.3.3 Chorleywood Station Estate Article 4(2) Direction 2006.

7. Analysis

7.1 Site Overview

7.1.1 As discussed in the above sections of this report, unauthorised works have been undertaken at the site. No planning permission is in place for the works carried out to date. Works undertaken include the removal of characterful features to the dwelling, causing a change in its overall character and appearance. These works have included the removal of the chimney, porch, ridge tiles, finials, decorative bargeboards, rendering of the house, and replacement windows.

7.1.2 Additional works include the construction of a single-storey rear extension and associated raised patio. A rear dormer window has been constructed to the main roof of the house. As noted above, this feature of the development was subject of a separate application which has been refused (25/0981/RSP). **This feature, while in-situ, does not form part of this application.**



The application dwelling prior to any works in 2024 (left), and following completion of works in 2025 (right)

7.2 Impact upon Character and Street Scene and Conservation Area

7.2.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that extensions should not have a significant impact on the visual amenities of an area. Extensions should not be excessively prominent and should respect the existing character of the dwelling, particularly regarding the roof form, positioning and style of windows and doors, and materials.

7.2.3 The application site is located within the Chorleywood Station Estate Conservation Area. In relation to development proposals in Conservation Areas Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.

- 7.2.4 The Chorleywood Neighbourhood Plan is relevant and includes policies relating to development within the Conservation Areas in the Parish. Policy 1 states that Development proposals in conservation areas should preserve or enhance the character or appearance of the conservation area and use materials that are appropriate as defined in the relevant conservation area appraisal document. It further states that development proposals in the Conservation Areas should seek to maintain local distinctiveness through the built environment. Policy 2 states that all developments must demonstrate how they are in keeping with, and where possible enhance, the Special Characteristics of Chorleywood. The Neighbourhood Plan also makes general reference to the Chorleywood Station Estate Conservation Area, stating that it is an excellent example of late Victorian and Edwardian buildings which give the estate its unique character dominated by large, detached houses and substantial rear gardens.
- 7.2.5 The Chorleywood Station Estate Conservation Area Appraisal (2005) provides supplementary planning guidance and is a material planning consideration in the assessment of applications within the conservation area. The appraisal states that the Conservation Area is characterised by a quite splendid and pleasant mix of both Victorian and Edwardian buildings. Many of these buildings display very attractive original features. The Conservation Area is a very good example of the Victorian/Edwardian era planned development. No two houses are alike and are rich in features of the time, such as timber vertically sliding sash windows, stained-glass windows and other architectural decoration. The application dwelling is also on the local list of notable dwellings on Shire Lane in the appraisal.
- 7.2.6 As set out within the application description and discussed in earlier sections of this report, original and characterful features of the dwelling have been removed without permission. The removal of all these features has eroded the positive contribution that the dwelling makes to the Conservation Area.
- 7.2.7 The pre-existing windows to the dwelling, which were a combination of timber sash windows and timber casement windows. These have been removed and replaced with uPVC casement windows. It is noted that the pre-existing windows were timber, and some may have been the original units. It is also noted that there was some variation throughout the pre-existing units to the dwelling, and they did not have a particularly strong collective appearance value. It is considered that the removal of the pre-existing units would not have been objectionable in principle, subject to their replacement with new, sympathetic units. The units installed to the site are uPVC. It is acknowledged that, in their current form, they are not overly aesthetic in a heritage terms. It is proposed that solid glazing bars are installed to the top lights. These would make greater reference to the pre-existing units and to the wider conservation area. They would also have a more cohesive appearance across the front elevation. Overall, subject to the proposed alterations including the introduction of solid glazing bars, the character and appearance of the dwelling would be preserved relative to its pre-existing appearance.
- 7.2.8 The pre-existing roughcast, cream coloured render has been completely replaced with smooth, bright white render. It is noted that there are some examples of smooth render found throughout the Conservation Area, usually in more muted colours. While it is found, it is not considered to be particularly characteristic. In this case it is considered that harm arises from the combination of its smooth finish and bright white colour. It is retrospectively proposed that the render is painted a softer "Magnolia" colour. It is considered that painting the existing render the specified colour would overcome the identified harm of the existing render. While the render would not be roughcast as the pre-existing, it is factored into consideration that there are examples of smooth render found locally. Overall, it is considered, subject to the proposed retrospective painting of the dwelling, the proposed render would tone down the appearance of the house which would preserve the character and appearance of the dwelling relative to its pre-existing appearance.

- 7.2.9 The pre-existing low wall and piers enclosing the frontage, were constructed of a combination of red brick and flint. This feature has been rendered with a smooth, bright white render to one internal side and to both piers. In its current state, it is considered to harm the character and appearance of the dwelling and Conservation Area. It is proposed that red stock brick slips are applied to the white rendered parts of the wall and piers. The material for which has been specified on the accompanying materials schedule. Subject to the proposed alterations, including the installation of brick slips, the character and appearance of the dwelling would be preserved relative to its pre-existing appearance.
- 7.2.10 The pre-existing chimney to the dwelling was removed as part of unlawful works. It is proposed that a chimney is reinstated. This would be of similar character to that which was removed including a stock brick external finish and terracotta chimney pots. A photographic sample of this has been provided on the materials schedule. Subject to the proposed installation of a new chimney, as per the photographic sample and elevation drawings, the character and appearance of the dwelling would be preserved relative to its pre-existing appearance.
- 7.2.11 It is proposed that the ridge tiles and finials, that were removed from the dwelling, are reinstated with ones to match those removed. Photographic samples of these have been provided on the materials schedule. These would be installed to the main ridge and forward-facing gables of the dwelling, including the front bay window, porch, and dormer. Subject to the proposed installation of these features, as per the photographic samples and elevation drawings, the character and appearance of the dwelling would be preserved relative to its pre-existing appearance.
- 7.2.12 A further set of works to the dwelling include the construction of a new enclosed porch, with a gabled roof and new modern front door. This new porch also attaches to a garage conversion, which has a new pitched roof to the front, and new window in place of the garage door. It is noted that the new roof to the garage has replaced a somewhat unsympathetic flat roof. The loss of the garage door is acceptable in this regard. The loss of the pre-existing porch, which was an extremely characterful feature to the dwelling, has caused harm. The proposed retrospective changes include the reconstruction of the porch roof, including the reinstatement of decorative timber bargeboards and glazing above the door. As noted above, the finials and ridge tiles would be installed to the ridge of the porch. The current door would be replaced with a timber panelled door and side fenestration. This is more reflective of the pre-existing door, rather than the ultra-modern door currently in place. A photographic sample of the door is specified on the materials schedule. Further retrospective changes include the replacement of the concrete tiles to the mono-pitch over the garage with slate to match the roof. Subject to the proposed alterations to the front porch, as per the photographic sample and elevation drawings, the character and appearance of the dwelling would be preserved relative to its pre-existing appearance.
- 7.2.13 The proposed development includes seeking retrospective permission for a single-storey rear extension and associated raised patio. The extension has a depth of 4.5m, which does exceed the Design Criteria (within the Development Management Policies LDD Appendix 2) depth of 4.0m for detached dwelling. Notwithstanding, it is not considered that harm arises from its scale or disproportionality to the host dwelling. The extension contains a raised rear patio of relatively shallow depth and, again, harm is not considered to arise over the scale of this feature. The extension does have a modern appearance, when observed from the rear garden. Features contributing to this appearance include tall rear glazing, with black frames. The brickwork used for the extension is somewhat modern in appearance. The extension does have a simplified parapet roof and the brick surround to the glazing within the rear elevation somewhat lessens its overall visual impact. It is proposed that the rear extension is rendered in an off-white colour to match the rest of the dwelling.
- 7.2.14 It is noted that the Conservation Officer raises an objection to the rear extension, namely the depth, design and extent of glazing with modern black aluminium framing. There is

limited visibility of the extension from the public realm. There is also limited visibility from private vantage points within the Conservation Area. It is acknowledged that the two immediately adjoining neighbours to each side are likely to have a good view of the extension. There are several examples of deep rear extensions with flat roof forms within this Conservation Area. The extension is also proposed to be rendered in an off-white colour which would serve to soften its overall appearance and be more in keeping with the host dwelling, following the other proposed amendments. Taking all factors into account, on balance it is not considered that it would be justifiable to refuse planning permission for the extension based on its scale, design and fenestration.

- 7.2.15 A rooflight has been inserted within the rear facing roofslope of a first-floor side projection to the dwelling. This side projection pre-dates any planning history, however it does appear to be a later, ad-hoc addition to the property. The rooflight is not particularly visible from the public realm although some views of it may be available from private vantage points. It is not considered that this feature, in isolation, harms the character of the dwelling.
- 7.2.16 The pre-existing landscaping to the frontage has been removed and laid with gravel. It is noted that the Conservation Officer raises objection to the laying of gravel, stating that it has caused harm. Whilst it is acknowledged that hardstanding within the front gardens of properties resulting in a reduction in soft landscaping is seen as detracting from the character of the conservation area (para 5.16 of the Appraisal), given the immediate context and the size of the frontage, the gravel across the frontage is considered to preserve the character of the Conservation Area. A different conclusion may have been reached if the property was located further up Shire Lane as the character alters. On balance, considering that many dwellings throughout the immediate area have implemented fully paved driveways, it is not considered that the laying of gravel, in isolation, given the overall scale of the frontage causes harm to the character and appearance of the conservation area.
- 7.2.17 In summary, unauthorised works to the dwelling have resulted in its character and appearance, and its positive contribution to the Conservation Area, being harmfully eroded. This application includes remedial works to reinstate features with the aim of preserving its overall character and appearance relative to its pre-existing appearance. Officers consider that the amended plans have managed to achieve this objective. Any permission granted will include carefully worded conditions to ensure that these works are carried out, and in a set timeframe.
- 7.2.18 The proposed amended development would therefore preserve the character and appearance of the Conservation Area, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policies 1 and 2 of the Chorleywood Neighbourhood Plan (2020), the Chorleywood Station Estate Conservation Area Appraisal (2005), and the NPPF (2024).

7.3 Impact on Neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The proposed works to the front elevation of the application dwelling would not result in any adverse impact towards surrounding neighbouring amenity and are therefore considered acceptable in this regard.

- 7.3.3 The Design Criteria states that generally the maximum depth for rear extensions should be 4.0m in the case of detached dwellings. This distance may be reduced if the extension would adversely affect adjoining properties. Regarding Kelshall, the rear extension is built near the common boundary at its deepest point; however, there is a total separation distance of 3.0m between the host dwelling and Kelshall. Furthermore, this neighbouring property is positioned on a higher land level than the application site. Given the single storey design and modest height, it is not considered that the proposed rear extension results in undue harm to the residential amenities of Kelshall in terms of loss of light or appear overbearing.
- 7.3.4 With regards to Rosebank, this neighbouring property is a dental practice, nevertheless the rear extension is set off from the shared boundary by 1.3m with a total distance of 2.7m between the two properties. Although, Rosebank is on lower land level the design of the extension, coupled with the separation distance, means that it would not impact on the amenities of this neighbouring property.
- 7.3.5 The rear patio has created a raised platform. The raised patio is of a relatively modest depth and height and contains planters which limit the capabilities to stand right at the edges. Given that Kelshall is at a higher level it is not considered that any overlooking occurs. The patio provides some elevated views to the amenity garden of Rosebank however there is an inherent degree of overlooking anyway given the site levels. It is not considered that the proposed rear patio requires further screening to prevent impact upon neighbours.
- 7.3.6 The dormer built on site is not included on this proposal therefore its neighbour impact has not been assessed.
- 7.3.7 The proposed development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.4 Traffic and Car Parking

- 7.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.
- 7.4.2 There would be no alterations to the existing vehicular access to the property. In terms of car parking, as existing the dwelling contains four bedrooms, and the frontage provides one space. There is an existing shortfall of 2 off-street parking spaces. The works carried out have not increased the demand for parking in accordance with the adopted standards, and there would remain a shortfall of 2 spaces. It is noted that the driveway has been extended to accommodate 2 spaces, thereby reducing the total shortfall to 1 space. On street parking restrictions exist within the area which limit the availability of on-street parking. It is not considered that the shortfall in parking provision is sufficient to justify refusal of planning permission in this regard.
- 7.4.3 The proposal is therefore acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.5 Rear Garden Amenity Space

- 7.5.1 Policy CP12 of the Core Strategy states that development should consider the need for adequate levels and disposition of privacy, prospect, amenity, and garden space.
- 7.5.2 The application dwelling would retain a rear amenity garden of over 200sqm in area which would exceed the policy requirement and would therefore be acceptable.

7.6 Trees

7.6.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows, and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.

7.6.2 The application site is within the Chorleywood Station Estate Conservation Area therefore all trees within are also afforded protection by this designation.

7.6.3 The proposed development has not impacted upon trees.

7.7 Biodiversity

7.7.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application.

7.8 Mandatory Biodiversity Net Gain

7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

7.8.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development. The LPA agree that Mandatory BNG would not apply in this instance.

8. **Recommendation**

That RETROSPECTIVE PLANNING PERMISSION be granted, subject to the following conditions:

C1 WITHIN SIX MONTHS from the date of this planning permission, the retrospective works, as set out in the development description and as shown on drawing number 00-02-00 (received 10.03.2026), shall be carried out in accordance with the

approved plan (and as per the requirements of Condition 2) and permanently maintained thereafter. For complete clarity, these retrospective works include:

- Alterations to the existing front windows to incorporate solid glazing bars.
- Construction of new chimney stack.
- Painting of existing render to specified off-white colour.
- Render to single-storey rear extension to match new colour.
- Installation of ridge tiles and finials.
- Reconstruction of roof of porch, including decorative bargeboards, glazing, and finials.
- Installation of slate roof to mono-pitched roof above garage.
- Install new front door and associated fenestration.
- Install decorative timber bargeboards.
- Alter rendered parts of front walls and piers to brick finish.

Reason: For the avoidance of doubt, in the proper interests of planning and to preserve the character and appearance of the Chorleywood Station Estate Conservation Area, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policies 1 and 2 of the Chorleywood Neighbourhood Plan (2020), the Chorleywood Station Estate Conservation Area Appraisal (2005), and the NPPF (2024).

- C2 The development, hereby permitted, shall be carried out in accordance with the material details shown on the Materials Schedule (dated 10.03.2026). Any external finish material which departs from those stated on approved schedule will require submission to and approval from the Local Planning Authority.

Informatives

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification

of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the district.

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PLANNING COMMITTEE – Wednesday 27 May 2026

26/0033/FUL – Extensions to existing ground floor and extensions to create first and second floor accommodation, including rear dormer window to provide 1 self contained residential dwelling at no.1A GROVE ROAD, MILL END, RICKMANSWORTH, WD3 8EB

Parish: Non-parished
Expiry of Statutory Period: 15.04.26
Extension of Time: 01.06.26

Ward: Penn and Mill End
Case Officer: Claire Wilson

Recommendation: That Planning Permission is granted.

Reason for consideration by the Committee: This application was called in by three members of the Planning Committee due to concerns regarding parking and residential amenity.

To view all documents forming part of the application, please go to the following website:

[26/0033/FUL | Extensions to existing ground floor and extensions to create first and second floor accommodation, including rear dormer window, to provide 1no. self contained residential dwelling. | 1A Grove Road Mill End Rickmansworth Hertfordshire WD3 8EB](#)

1 Relevant Planning History

- 1.1 8/353/85: Single storey side and rear extensions and replacement front.

2 Description of Application Site

- 2.1 The application site currently contains a single storey commercial unit which is in retail use (Use Class E) located on the western side of Grove Road, Mill End. The site occupies a corner plot location adjacent to Uxbridge Road and is set at an elevated land level relative to the adjacent highways.
- 2.2 The streetscene of Grove Road consists of residential dwellings of mixed design built on strong building lines. The dwellings located to the immediate north of the site are a pair of two storey semi detached dwellings (No.1 and Enmore, 3 Grove Road) with existing two storey gabled projections.
- 2.3 The existing single storey commercial unit has a pitched roof form at the front with gable ends to the flank elevations and has a fully glazed shop front, with steps leading up to the entrance from the highway pavement. To the rear of the building there is a single storey rear projection with parapet roof form. Located to the rear of the projection are two existing timber outbuildings which extend up to the boundary with the neighbouring dwelling.
- 2.4 A grass verge wraps around the front and side of the existing building, with the plans indicating that this is within the red line of the application site. Low level metal railings sit immediately adjacent to the Uxbridge Road footway which is located at a lower land level to the site.
- 2.5 There is an existing vehicular cross over to the rear of the site which provides access from Uxbridge Road to an existing track which leads to parking areas to the rear of the existing dwellings on Grove Road. There is also an existing vehicular access located adjacent to the

site on Grove Road, however, this appears to serve the neighbouring dwelling no.1's driveway.

- 2.6 The application site is also located opposite The Whip and Collar PH (known as The Waterside), which is a Grade II Listed Building.

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission for extensions at ground floor level and extensions to create first and second floor accommodation including rear dormer window to provide 1 self-contained residential dwelling.
- 3.2 The existing commercial unit at ground floor level is shown to be retained.
- 3.3 To facilitate the new dwelling, an extension to the ground floor of the building along the northern boundary resulting in a straight flank wall (as the existing ground floor flank wall is splayed) is proposed, built to adjoin the existing front wall. The plans indicate that this extension would have a maximum width of 0.4m in width, such that the flank wall would be located on the boundary. This extension would accommodate a pedestrian access from Grove Road and internally a staircase up to the proposed first floor. A small front garden is also proposed enclosed by a low level wall.
- 3.4 The plans also include an upward first floor extension which would accommodate the dwelling with kitchen/living, bedroom, bathroom, hallway and stairs to the second floor. The proposed first floor front wall would have a maximum width of 6.6m and would be constructed immediately adjoining the northern boundary. The plans indicate that the first floor front wall would include a stepped part set back from the main front wall by approximately 0.6m. The first-floor flank wall adjacent to Uxbridge Road would have a minimum depth of 7.4m whilst the first-floor flank wall adjacent to the northern boundary would have a maximum depth of 11.5m, including the two-storey gabled projection to the rear.
- 3.5 In terms of design, the first floor extension would have a stepped ridge height with a maximum height of 8.5m when taken from the land level indicated on the northern boundary. The extensions would be gable ended to the flank elevations. The two storey rear projection to the rear would have a gabled roof form which would be subordinate to the main roof form.
- 3.6 The plans also include second floor accommodation (bedroom and bathroom), served by rooflights to the front and rear. In addition, a rear dormer window is also proposed. This would have a flat roof form with a width of 3.4m, a height of 1.9m and a depth of 2.8m. A Juliet Balcony is proposed.
- 3.7 The proposed residential flat would be accessed via the front elevation of the building. The plans indicate car parking to the rear of the site, accessed via the existing track from Uxbridge Road. This includes one parking space for the residential unit and one space for the existing commercial unit. An external cycle stand is also shown at the rear.
- 3.8 During the course of the application the location plan was amended to ensure that the red line aligned with the applicant's extent of ownership. Originally, the location plan included land within the ownership of the council and no prior notice was served. Amended plans were also received to correct how the neighbouring property is shown on the plans.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 TRDC Property Services: The applicant is recommended to consult the Property Services Team to discuss access arrangements and future parking requirements affecting the Council's adjoining land

4.1.2 National Grid: No comments received

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 10

4.2.2 No of responses received: 2 (from same neighbour)

4.2.3 Site Notice: Expiry: Press Notice:

4.2.4 Summary of Responses: 2 objections.

- Loss of natural light to home and garden.
- Overshadowing of key areas and outdoor spaces, affecting residential amenity and quality of life.
- No adequate daylight or sunlight assessment provided.
- Plans suggest potential encroachment onto or interference with the shared boundary, - manoeuvrability and potential obstruction of rights of way.
- Drawings lack clarity and dimensions to confirm boundary lines.
- New development would increase noise levels and general disturbance both during construction and once occupied.
- Additional traffic movements, use of outdoor space and associated mechanical equipment could affect the enjoyment of neighbouring properties.
- New windows, including dormer windows, balconies result in direct overlooking into bedrooms, conservatory, and garden area.
- Lack of clear elevations/technical report/boundary verifications.
- Waste and drainage concerns including human waste overflowing to our property.
- Traffic and car parking concerns. Customers parking over our drive- concerns that if the shop changes use to an over licence or convenience store, then the whole road will have parking issues.
- Outside the shop are double yellow lines that are parked on, the site is on a very busy junction with congestion. A shop and a property will cause more accidents and congestion.
- Antisocial behaviour issues. A convenience store would cause more issues.
- Concerns regarding mains water supply.
- Concerns regarding rights of access, the access to the rear of the site encroaches over our boundary. This is on HM Land Registry documents.

4.2.5 Officer note: The applicant provided a response in relation to the issues raised by the neighbour. In response, the neighbour has provided further comments outlined below:

- The response is very generic and does not really address any of the details that we have objected about in this planning application.

4.2.6 Officer note: Concerns regarding rights of access are not material planning consideration.

- Issues relating to boundary lines are not a material planning.
- Issues regarding water supply are not a material planning consideration.
- The plans are too scale and there is no requirement for them to contain dimensions.

5 Reason for Delay

5.1 Committee cycle. Extension of time agreed.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 2024 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would ‘significantly and demonstrably’ outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM6, DM7, DM9, DM12, DM13 and Appendices 2 and 5.

6.3 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 **Planning Analysis**

7.1 Principle of Development

7.1.1 The application site is not identified as a housing site in the Site Allocations Document and would be considered as a windfall site. However, as advised in this document, where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national and local policies.

7.1.2 Policy CP2 of the Core Strategy advises that in assessing applications for development not identified as part of the District’s housing land supply including windfall sites, applications will be considered on a case-by-case basis having regard to:

- i. The location of the proposed development taking into account the Spatial Strategy
- ii. The sustainability of the development and its contribution to local housing needs
- iii. Infrastructure requirements and the impact on the delivery of allocated housing sites and
- iv. Monitoring information relating to housing supply and the Three Rivers housing targets.

7.1.3 The application site is located in Mill End which is identified as a Key Centre within the Core Strategy. Policy PSP2 of the Core Strategy states that development in key centres will focus future development predominately on sites within the urban area and on previously developed land. In addition, development within the Key Centres will provide approximately 60% of the District's Housing requirements over the plan period.

7.1.4 In this case, the site would be considered as previously developed land and would involve the upward extension of an existing building. Such development is supported in principle in paragraph 125 (e) of the NPPF which states that planning policies and decisions should:

'...support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

7.1.5 Taking into consideration the location of the site within a key centre, and on previously developed land, it is not considered that the principle of residential development would be unacceptable, subject to assessment against all material planning considerations as outlined below. Furthermore, it is noted that the existing commercial floorspace at ground floor would also be retained, which is viewed positively.

7.2 Affordable Housing.

7.2.1 Policy CP4 of the Development Management Policies LDD sets out that any development resulting in a net gain of 1 or more dwellings will be required to make contributions towards affordable housing provision. With regard to small sites delivering 1-9 dwellings, Policy CP4 sets out that a commuted sum payment will be sought. In addition, it advises that *'where non-viability is cited as the reason for a development proposal not complying with affordable housing requirements, applicants for planning permission must support this reason with financial evidence to be submitted alongside the planning application'*. The Council's Affordable Housing SPD provides further guidance on the provision of affordable housing including the calculation of commuted sum payments from small sites.

7.2.2 The proposed development would result in a net gain of 1 residential dwelling. The site is located within the Rickmansworth South and Maple Cross Market Area for which a payment of £550 per square metre of residential floor space would be required. Based upon a habitable floor space of approximately 39.4square metres (excluding bathrooms and circulation areas), a commuted sum payment of £21,670 would be required. The applicant submitted a Viability Statement with their application which set out that it would not be viable for a contribution to be provided. This has been assessed by the Council's Independent Assessor who has advised that the scheme would result in a deficit of £39,085 and therefore the scheme would not be viable to provide a contribution. As such, no objection is raised in this regard.

7.3 Design, impact on character and streetscene

7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high

standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.3.2 In terms of new residential development, Policy DM1 of the Development Management Policies LDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will only be supported where it can be demonstrated that the proposal will not result in:

- i. Tandem development;
- ii. Servicing by an awkward access drive which cannot easily be used by service vehicles;
- iii. The generation of excessive levels of traffic
- iv. Loss of residential amenity
- v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, building frontage line, height, gaps between buildings and streetscape features (eg hedges, walls, grass verges etc).

7.3.3 The proposed development involves alterations at ground floor level and a first floor extension with roof accommodation to create a new residential unit above the existing commercial floorspace. As set out above, the NPPF encourages the efficient use of land and sets out that opportunities to use airspace above existing residential and commercial floorspace should be supported. As such, it is viewed that the proposal would constitute an efficient use of land in accordance with the requirements of the NPPF. It is noted that the existing building appears somewhat as an oddity as it is the only commercial single storey unit on Grove Road, with the remaining streetscene being characterised by two storey residential dwellings. Whilst flatted developments are not necessarily part of the character of Grove Road, the site occupies a corner plot location adjacent to Uxbridge Road which is mixed in character with residential development being commonly located above commercial floorspace. Given the character of development within the wider locality, it is considered that the proposed development is acceptable in this regard.

7.3.4 In terms of height, the submitted indicative streetscene drawing indicates that the ridge line of the extended building would sit no higher than the neighbouring pair of semi-detached dwellings and as such would not represent an unduly prominent form of development within the streetscene in terms of its overall height.

7.3.5 With regard to siting, Appendix 2 of the Development Management Policies LDD advises that generally the first-floor flank wall of a two-storey development should be set in a minimum of 1m from the boundary in high density areas in order to prevent a terracing effect. In this instance, the plans illustrate that the proposed first floor extension would be located on the boundary with the neighbouring dwelling and thus would be contrary to the above guidance. However, it is not considered that any significant harm would occur for the following reasons. The existing building has a pitched roof form and already sits immediately adjacent to the boundary. Spacing would be retained between the host building and the neighbour by reason of the adjacent area of hardstanding which is utilised for the neighbour's parking provision. In addition, Grove Road has a mixed streetscene with terraces present, as a result, it is not considered that the proposed siting of the development would appear cramped or uncharacteristic in this regard. It is also noted that the element nearest to Uxbridge Road would be set down relative to the main ridge. The proposal would also not project as far to the rear as the neighbour, and would be read against the massing of the neighbouring property. It is considered that the design including stepped ridge line,

along with the distance from the boundary would prevent the development from appearing unduly prominent from Uxbridge Road, particularly considering that the building is set at an elevated position relative to the adjoining highway.

- 7.3.6 In terms of design, the proposed development would have a pitched roof form with gable ends to the flank elevation, which is considered consistent with the form of the neighbouring dwellings. To the rear, the development would include the provision of an L-shaped projection at first floor level, which would be similar to others in the vicinity. This would be gabled in terms of its form, however, it still would be read as a subordinate addition which would not appear unduly bulky and thus no objections are raised.
- 7.3.7 The plans also include the provision of second floor accommodation including a rear dormer window. Appendix 2 of the Development Management Policies LDD advises that dormer windows should be subordinate to the main roof form, including being set in from the sides of the roofslope, set down from the ridge and back from the plane of the roof slopes. The proposed dormer window would be relatively wide, however, it would sit in from both sides of the roof it is located on and down from the ridge. Furthermore, it would not extend across the full width of the development, therefore minimising its visual impact. There are other dormer windows present within the vicinity, such that this would not appear incongruous and it is not considered that this would result in demonstrable harm to justify refusal of the application. It is also noted that the proposed development would include rooflights to the front and rear roofslopes. Given the variation in design in the wider locality, no objections are raised to the rooflights.
- 7.3.8 It is acknowledged that there is Grade II Listed Building known as The Waterside located on the opposite side of Uxbridge Road. Policy DM3 of the Development Management Policies LDD is therefore relevant and advises that development should not impact on the setting of Listed Buildings. In this case, taking into account the residential nature of the area, and the distance between the buildings as a result of the highway and taking into consideration the urban nature of the area, it is not considered that any harm would occur to the setting of this building.
- 7.3.9 The proposed plans indicate that the development would utilise bricks and tiles to match those of neighbouring dwellings which would therefore ensure that the development would not appear uncharacteristic of the streetscene. The plans indicate the ground floor would be white rendered. Whilst this would be different from the existing situation, given this relates to the ground floor level only, it is not viewed that any harm would occur.
- 7.3.10 In summary, it is considered that the proposed development would represent an efficient use of land by utilising airspace above an existing commercial unit. It is considered that the proposed design would be in keeping with the wider locality and would not be detrimental to the character of Grove Road. Whilst it is acknowledged that the development would increase the prominence of the building within the streetscene given the corner plot location, it is considered that the development would be in keeping with the character of the area. Therefore, the development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.4 Impact on amenity of neighbours

- 7.4.1 Policy CP12 of the Core Strategy advises that development proposals should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'

- 7.4.2 The plans indicate that the proposed first floor extension would be consistent with the existing building line on Grove Road. Therefore, given its siting and the spacing between the buildings, it is not considered that the proposed extensions would be unduly prominent when viewed from the neighbouring dwelling in this regard. Likewise, the plans indicate that the ridge line of the extension would be no higher than the ridge line of the adjacent neighbour, and therefore would not appear unduly overbearing or prominent.
- 7.4.3 The proposed extension would include a rear projection. Appendix 2 of the Development Management Policies LDD states the following with regard to two storey developments:
- Two storey development at the rear of properties should not intrude into a 45 degree splay line across the rear garden from a point on the joint boundary, level with the rear wall of the adjacent property. This principle is dependent on the spacing and relative positions of properties and consideration will be given to the juxtaposition of properties, land levels and the position of windows and development of neighbouring properties.*
- 7.4.4 The plans indicate that whilst there would be an intrusion of the 45 degree line from the recessed rear building line of No.1 Grove Road, there would be no intrusion from the rearmost building line. It is acknowledged that the neighbouring dwelling does have windows in the flank elevation at ground and first floor level which would be affected by the development. At ground floor level, the flank window is a secondary window to a living area (currently used as a bedroom), with this room also served by a ground floor rear facing window. Whilst it is acknowledged that there may be some loss of outlook and light to this window, it is considered that this would not result in any demonstrable harm. Additionally, one of the windows in the flank wall of the dwelling facing the application site is a single window to a room utilised as a bedroom. This currently has an open outlook due to the single storey nature of the No.1A Grove Road, and therefore it is acknowledged that there would be some loss of outlook and light to this bedroom which would therefore impact on the experience of this bedroom. However, a spacing of approximately 3.5m would be retained between the application site and the neighbouring dwelling which would minimise any significant harm. Overall, taking into account the relationship with the neighbour including the retained spacing, it is considered that the living conditions of no.1 would not overall be unacceptably impacted to justified refusal.
- 7.4.5 A dormer window would be located in the rear roof slope of the proposed extension and thus would provide second floor accommodation. Given that this would be set in from the boundary, it is not considered that this would be overbearing to the neighbouring dwelling. With regard to overlooking, the single casement window in the dormer window, nearest to this neighbour would serve a stairwell which is a non-habitable area and therefore would not result in harm in terms of overlooking. Whilst it is acknowledged that the dormer window would have some outlook over the neighbouring rear garden, it is noted that the site sits within an urban residential area, where some degree of overlooking would be expected. To ensure that the residential amenity of the neighbour is further protected, a condition shall be added preventing the installation of any flank windows. The front and rear rooflights would not be considered to impact on the residential amenity of any neighbouring dwelling.
- 7.4.6 The neighbour has raised concerns that the proposed development would impact on their ability to park on the area of hardstanding adjacent to their property. In response, the works are shown within the red line of the application site and it is not considered that the development would impact on existing off street car parking provision.
- 7.4.7 There are no residential neighbours to the rear of the site or directly opposite which would be adversely affected.
- 7.4.8 It is also acknowledged that there would be an intensification of use of the site and neighbours have raised concerns regarding an increase in activity at the site. In response, these concerns are acknowledged, however, it is not considered that the increase in activity associate with one residential unit would result in significant harm, particularly taking into

consideration the residential nature of the area. It is also noted that the neighbour has raised concerns regarding the potential use of the ground floor retail unit and this could result in an increase in anti-social behaviour if the existing unit changes use. In response, the applicant has not advised that the existing unit is changing use. Furthermore, some changes of use would constitute permitted development for which planning permission would not be required.

7.4.9 In addition, the neighbour has raised concerns regarding existing issues with drainage and human waste impacting on their property. This is an existing situation and is a civil matter rather than a material planning consideration.

7.4.10 In summary, taking into consideration the site circumstances and the design of the development, it is not considered that it would result in significant harm to the residential amenity of neighbouring dwellings. Subject to conditions, the development is considered to be acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.5 Quality of accommodation for future occupiers.

7.5.1 Appendix 2 of the Development Management Policies LDD sets out requirements for the provision of private amenity spaces. This sets out the following in respect of flatted development:

One bed: 21 square metres (additional bedrooms: 10 square metres).

7.5.2 The original plans indicated a small space to the rear of the existing sheds (associated with the commercial use), which was specified to be amenity space. On assessing the plans, Officers did not consider that this would provide useable provision due to its size and siting. Consequently, this has been removed from the plans. The proposed dwelling would now not benefit from any external amenity space and thus this would be contrary to the guidance within Appendix 2. However, the site is located within a 7 minute walk of Rickmansworth Aquadrome and 11 minute walk of King George V Field, Mill End. The routes to both are level and lit. The shortfall in amenity space is not considered to be any different from the existing flats on Moneyhill Parade where many do not have private amenity space. Therefore, taking into consideration the location of the site, it is not considered that the lack of amenity provision would be unacceptable. Furthermore, it is noted that the proposed dwelling would have ample internal space with natural light reception.

7.6 Access and Car Parking

7.6.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development Management Policies LDD requires a two bedroom dwelling to have two spaces, with one being assigned. It is noted that the site would still include a commercial unit which appears to be in retail use (G & B Plastics Supplies). Appendix 5 of the Development Management Policies LDD requires a retail unit to have 1 space per 30 square metres. Based on the floor space of the retail element alone (excluding the storage areas), the existing use requires 2 off street car parking spaces.

7.6.2 In this case, the original plans did indicate the provision of two car parking spaces to the rear of the building, one in respect of the residential unit and one in respect of the existing commercial unit. However, officers considered that the provision of two car parking spaces for two separate uses would be unlikely to work in reality due to the constrained nature of the rear of the site which would make manoeuvring difficult. As such, amended drawings have been received which indicate one space for the commercial use with no car parking provision for the residential development (reflective of the current arrangement). As such, there would be a shortfall of two spaces for the residential development and no change to

existing for the commercial unit as it is understood that the commercial unit already utilises this area for parking.

- 7.6.3 Whilst the shortfall in car parking provision is acknowledged, the site is located within a key centre in close proximity to local shops and services located on Uxbridge Road, including to bus stops which provide services to surrounding areas including Watford and Hemel Hempstead. The site is also within a 25minute walk of Rickmansworth Train Station. It is considered that future occupiers would be aware of the shortfall in car parking provision and that there are realistic alternatives available nearby which means that future occupiers would not be wholly reliant on a private vehicle. Furthermore, given the scale of the unit, it is not considered that the shortfall in car parking provision would result in harm , either through noise and disturbance or causing unacceptable highway safety concerns, given the current make-up of the area and existing parking restrictions immediately outside the site. Consequently, no objections are raised in this regard. In addition, it is noted that the plans include provision for cycle storage which is supported. . .
- 7.6.4 The site is accessed via an existing access road from Uxbridge Road. The applicant is reminded that the must seek consent from the relevant land owner regarding rights of access.
- 7.6.5 In summary, taking into consideration the sustainable location of the site, it is considered that the development would not result in harm to the safe operation of the adjoining highway. The development is considered acceptable and in accordance with Policy CP10 of the Core Strategy and Policy DM13 and Appendix 5 of the Development Management Policies LDD.

7.7 Wildlife and Biodiversity

- 7.7.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application. A Biodiversity Checklist has been submitted and details that no protected species would be adversely affected by the development. Given the nature of the existing building, it is not considered that any protected species would be adversely affected and thus no objections are raised. The development is considered to be in accordance with Policy DM6 of the Development Management Policies LDD in this regard.
- 7.7.3 A Biodiversity Checklist has been submitted with the application and sets out that no protected species would be affected by the development. Given the location of the site and the nature of the existing building, it is not considered that any significant impact would occur in this regard. However, an informative shall be added to any consent reminding the applicant of what to do should bats be found during the course of the development. Subject to this, the development is considered acceptable in accordance with Policy DM6 of the Development Management Policies LDD.

7.8 Mandatory Biodiversity Net gain.

- 7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to

achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.8.2 The applicant has specified that the application would be subject to the de minimis exemption as the development would predominately be located above the existing built form except for some alterations at ground floor level which relate to a small area of existing hardstanding. The Local Planning Authority is in agreement that this exemption would be applicable.

7.9 Energy Efficiency

7.9.1 Paragraph 161 of the NPPF states that “*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*”.

7.9.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

7.9.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

7.9.4 The submitted Energy Statement details a 12% improvement and therefore would be in compliant with Policy DM4 of the Development Management Policies LDD. The submitted statement indicates that this will be achieved through the use of solar panels, however, details of their siting and appearance have not been provided as part of the application. No objection is raised in principle, however, a condition shall be included requiring full details to be submitted prior to their installation.

7.10 Refuse and Recycling

7.10.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
- iii) There would be no obstruction of pedestrian, cyclists or driver site lines.

7.10.2 The plans include the provision of waste storage to the front of the proposed residential unit. No objection is raised and the location of the waste storage is considered acceptable. The submitted details indicate that the bins associated with the commercial building would be located in front of the existing storage to the side of the building.

7.11 Planning Balance

7.11.1 The LPA cannot currently demonstrate a 5-year housing land supply, and therefore paragraph 11 of the NPPF (2024) is engaged. Paragraph 11 and footnote 8 clarifies "this includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites". The most important policies for determining a housing application are considered to be Policies CP2 (Housing Supply) and Policy CP3 (Housing Mix and Density). In the context of decision-taking Paragraph 11 continues:

"Plans and decisions should apply a presumption in favour of sustainable development b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless...

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

7.11.2 Therefore, the tilted balance exercise requires planning permission to be granted unless any adverse impact of doing so would significantly and demonstrate outweigh the benefits.

7.11.3 The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental. The development would make a limited contribution towards making up the shortfall in housing in the district, by adding one two bedroom unit to the overall housing supply. There would also be some limited economic benefits from the construction activities and the future occupiers' ability to assist in supporting local settlements by using nearby amenities, albeit this would be limited. Given that no significant or moderate harms have not been identified in the analysis, it is considered that the development should be granted.

8 That PLANNING PERMISSION IS GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans:

01-00 B, 01-01, 01-02, 01-03, 01-04, 01-05, 01-06, 01-07, 01-08, 01-09, 01-09.1, 01-10, 01-11, 01.13 Rev C,

Reason: For the avoidance of doubt, in the proper interests of planning, residential and visual amenity; in accordance with Policy PSP2, CP1, CP3, CP4, CP6, CP8, C9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM4, DM6, DM8, DM9, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 Prior to the installation of the solar panels specified within the Energy Statement, hereby permitted, plans and details of the photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The approved details and energy saving measures detailed within the submitted Energy Statement shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

- C5 Prior to the first occupation of the dwelling hereby permitted, the cycle parking shall be provided in accordance with the approved drawing no 01-13 C. The cycle parking shall be permanently retained thereafter.

Reason: In order to ensure cycle parking facilities are provided and to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C6 The existing flat roof of the single storey side and rear projection as shown on drawing number 01-06 shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first and second floor elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

Informatives

- 11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

(a) Making a Non-Material Amendment

(b) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section

prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 12 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 13 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 14 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

Development below the de minimis threshold, meaning development which:

- a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

- 15 The applicant is advised to contact TRDC Property Services for any discussion regarding rights of access at the rear of the property.





- 3.2 The proposal includes a loft conversion to the main dwelling, facilitated by a hip to gable extension, rear dormer window and front rooflights. The dormer as built has a total depth of approximately 3.5m and a width of approximately 6m (0.6m greater than the dormer consented under the Lawful Development Certificate). The dormer has a flat roof with a total height of approximately 2.5m. Two windows are proposed within the rear elevation of the dormer. Three rooflights have been installed within the front roofslope of the dwelling (two more than the Lawful Development Certificate).
- 3.3 It is noted that the hip to gable extension, rear dormer and front rooflights have already been implemented on site. Whilst the application site benefits from a lawful development certificate (25/1620/CLPD), the as built position does not accord with the approved drawings. Drawings forming part of the current application do reflect the as-built dormer, and also propose to revert the dormer cheeks to hanging tiles. This application seeks to regularise the as-built position as well as the proposed development. In addition, as these works are not substantially complete, they have been included in the description of works for this current application, and the application is being considered as part retrospective.
- 3.4 The proposed two storey side extension would be set back from the main front wall of the dwelling by 0.5m and would not project beyond the existing rear building line. The extension would retain a minimum of 1m spacing to the splayed flank boundary with No. 8 The Crescent at both the ground and first floor level. The ground floor footprint would be splayed, following the nature of the boundary with the spacing increasing to the boundary as it splays away from the proposed development. The extension at the ground floor would have a total depth of approximately 7.1m and a width of approximately 2.5m to the front and 6m to the rear. At the first floor the extension has a depth of approximately 7.1m and a width of 2.5m.
- 3.5 The extension would be minimally set down (0.2m) from the ridge line of the dwelling and would have a gabled roof sitting at a total height of approximately 7.9m, the eaves height would be consistent with the existing eaves of the dwelling. The ground floor would have a flat roof at a total height of approximately 2.8m.
- 3.6 Fenestrations are proposed within the front and rear of the proposed extension at both ground and first floor level. A door is proposed within the ground floor side elevation facing No. 8. No first-floor flank windows are proposed. Rooflights are proposed within the front and rear roofslope of the extension.
- 3.7 Amended plans were requested and received during the course of the application omitting the rear dormer from the roofslope of the proposed two storey side extension. The spacing from the extension to the boundary was increased and two rooflights were added to the front and rear roofslope of the two-storey side extension.
- 3.8 Further amendments were requested and received to correct discrepancies between the drawings and the as-built position. The drawings have been updated to reflect the development that has been built on site and includes alterations to the external materials including external wall insulation, smooth white render finish, replacement windows and replacement roof tiles to charcoal grey tiles. The replacement roof tiles have already been implemented on site.
- 3.9 Officers note that the development that has been carried out on site differs from that permitted via the Lawful Development Certificate, this current application seeks to regularise the as-built position which includes the removal of the brickwork on the dormer cheeks and its replacement for hanging tiles.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 National Grid – [No response received]

4.1.2 Croxley Green Parish Council – Object.

The proposed two storey side extension should have a hipped roof to ensure symmetry with the attached house and restore the street scene in accordance with CGNP. The proposed extension to the rear dormer is ungainly and permits close overlooking of the adjoining gardens and houses in Cherry Croft. The proposed new loft extension would be outside the total permitted development allowed after taking into account the previous application for lawful development. CGPC supports neighbours comments. CGPC objects to this proposal and requests call in.

4.1.3 Croxley Green Parish Council [Second Comment] – Object.

Remain concerned about the scale of the proposed development and the impact on neighbouring properties. Note the revised plans and draw the planning officer's attention to neighbours' comments.

4.1.4 Conservation Officer – The Conservation Officer was verbally consulted on the application and made the following comment:

Cherry Croft would appear to be a modern addition to the Conservation Area, therefore given its context the development is considered to have a neutral impact on its setting.

4.2 Further Consultation

4.2.1 National Grid – [No response received]

4.2.2 Croxley Green Parish Council – [Objection]

Croxley Green Parish Council maintains its objections to this planning application. CGPC has concerns on overdevelopment of the site and overlooking to neighbouring properties.

CGPC supports neighbours continuing concerns. If the officer is minded to approve, CGPC requests the application be called in for decision by the TRDC planning committee.

CGPC requests this application is placed early on the agenda due to it having been on the agenda at 2 previous meetings but not yet considered.

4.2.3 Conservation Officer -

The Site is outside the boundary of Dickinson Square Conservation Area and abuts Cherry Croft, a residential road in the Conservation Area. Dickinson Square Conservation Area Appraisal (CAA) adopted in 2013 describes the special interest of the Conservation Area in relation to the planned nineteenth century workers houses on Dickinson Square itself. Cherry Croft is a street of modern houses that formerly contained open space and allotments. Although it has been designed to have some design relationship with the historic Dickinson Square, the appearance is of modern houses which do not contribute to the special interest of the Conservation Area.

The houses on the Crescent are outside the Conservation Area; they appear to date from the mid-twentieth century and have a neutral impact on its special interest.

The proposal includes a hip to gable extension and a rear dormer, which would be relatively large within the rear roofslope and faces towards the Conservation Area. It also includes a wide, wedge-shaped single storey side extension to replace an existing garage, which does not represent high quality design standards. The external render would alter the appearance, although there are nearby examples of light rendered houses.

However, due to the separation between the Site and the more significant elements of the Conservation Area and the relatively conventional proposed works, there would not be a harmful heritage impact. On this basis, there is no heritage objection to the proposal.

This response has been made with regard to The Planning and Listed Buildings Act 1990 72 (1) and the National Planning Policy Framework Chapter 16 'Conserving and Enhancing the Historic Environment'.

4.3 Public/Neighbour Consultation

4.3.1 Number consulted: 13

4.3.2 No of responses received: 10 [10 objections received, 1 neutral comment received]

4.3.3 Site Notice Posted: 29.01.2026, Expired: 19.02.2026

4.3.4 Press Notice Published: 06.02.2026, Expired: 27.02.2026

4.3.5 Summary of Responses:

Neutral Comment:

- Give residents 24 hours' notice of deliveries by large vehicles or builders blocking driveways.

Objections:

- Plans different to permitted development plans.
- Concerns regarding privacy of upstairs windows looking straight into bedrooms due to angle/relationship with application site.
- Loft and upstairs extension will block light and overshadow conservatory.
- Building close to boundary with side door looking into amenity space.
- Imposing.
- Other corner houses in cul-de-sac have ground floor side extension, large extension would be out of character.
- Driveway blocked.
- Materially inaccurate representation of existing property. Incorrect baseline drawings misleads planning authority and prevents a lawful assessment of the proposal.
- Unacceptable harm to neighbouring residential amenity. Loss of outlook and sky visibility. Overbearing and enclosing due to scale and proximity. Substantial loss of privacy from direct overlooking into neighbouring gardens and habitable rooms.
- Fails to respect established spatial relationships and reasonable enjoyment of neighbouring properties.
- Request council to investigate compliance with relevant permissions, permitted development limitations and building regulations.
- No consultation on roof extension which adds two windows and substantial increase in the building's height. This is inappropriate and falls short of expected practice.
- Considerable overlooking into rear rooms. Proposed design undermines privacy by adding 5 new windows facing directly into home.
- Roof extension of this scale would dominate boundary and create an intrusive, overbearing structure that would materially harm enjoyment of home and garden.
- View out of conservation area would seriously impact this.
- Reduce natural light to rear rooms.

- While we do not object to a side extension, the proposed additional top floor would create an overbearing form directly overlooking into garden.
- Residents of Cherry Croft were not notified of the current loft extension works, some of which appear to have been undertaken in preparation for this planning application.
- Not be in keeping with character of the surrounding properties, particularly in terms of roof style, scale and proximity to existing boundaries.
- Overbearing structure, resulting in overshadowing of neighbouring properties in Cherry Croft. Consequent reduction in natural light and visual outlook.
- Substantial loss of privacy.
- No. 10 has a separate planning application for a loft conversion and extension. When considered cumulatively, these developments would exacerbate the issues of overlooking and loss of privacy due to the increased number of windows.
- Intrusiveness and visibility of the extension / overbearing nature.
- Scale, bulk and siting of the proposed building not in keeping with the prevailing pattern of development in Cherry Croft.
- Material reduction in natural light.
- Reduce sense of outlook and openness currently enjoyed by neighbouring occupiers. Development would create an oppressive and dominant presence to the detriment of visual amenity.
- Revised plans still overbearing, overlooking from first floor due to angles of properties.
- Other corner of The Crescent only has a single storey extension due to proximity of houses.
- Parking concerns.
- Despite amendments proposal remains excessive in scale and bulk. Visually dominant and overbearing structure.
- Increased sense of enclosure. Loss of outlook.
- Overlooking concerns.
- If approved, consideration of glazing specifications and robust landscaping plan should be considered.
- Maintain previous objection. Two new windows at top of building and two additional windows on side elevation would directly overlook property, garden and bedrooms.
- Due to height, depth and proximity to the boundary extension would be overbearing and visually intrusive. Sense of enclosure. Significant reduction in outlook.
- Loss of privacy and light. Adversely affect views from property which is a Conservation Area.
- Concerns that work continues regardless of application.
- Overbearing impact and loss of light.
- Excessive bulk and massing.
- Privacy concerns.
- Ongoing works and whether they are authorised and whether this matter has been referred to Planning Enforcement.
- Amended scheme does not overcome fundamental harm caused by excessive scale and overbearing massing.
- Significant and direct impact on multiple habitable rooms.
- If minded to approve robust landscaping condition should be imposed requiring boundary screening of sufficient height and density to mitigate overlooking and protect neighbouring privacy.

4.4 Officer Comment – Comments from the neighbours are noted. With regards to comments around consultation for the Lawful Development Certificate, to clarify there is no requirement for the LPA to consult for this development type and there is no provision within the relevant part of the GDPO for comments to be taken into consideration. The application under reference 25/1620/CLPD sought a lawful determination based on whether the proposal complies with the requirements of the General Permitted Development Order

2015, as amended and was consented on 14.11.2025. This Certificate permitted a loft conversion, including hip to gable extension, rear dormer window (with two rear windows) and a front rooflight. The LPA note that the works currently being implemented on site are not being implemented in accordance with the LDC. This application seeks to regularise the as built position and has therefore been re-included in the assessment of this application given that the works are not substantially complete and the application is therefore part retrospective. All other material planning considerations including the impact on character and amenity will be discussed in the relevant sections of this report below.

5 Reason for Delay

- 5.1 Officers identified discrepancies with the submitted drawings and the as-built position on site. This has now been corrected through amended plans.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

6.2 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2024 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM13, Appendix 2 and Appendix 5.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018). Relevant policies include: CA2, Appendix B and C.

Other

Dickinson Square Conservation Area Appraisal (2014)

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

7 Planning Analysis

7.1 Design and Impact on the Host Dwelling, Street Scene and setting of the adjacent Conservation Area

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
- 7.1.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking. The Design Criteria at Appendix 2 sets out that two storey side extensions may be positioned on the flank boundary provided that the first-floor element is set in by a minimum of 1.2 metres. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In high density areas an absolute minimum of 1 metre will be considered.
- 7.1.4 With regards to dormer windows, the design criteria sets out that dormer windows should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either end of the roof and set back from the plane of the front or rear wall. The roof form should respect the character of the house if possible. Hip to gable extensions are discouraged in the case of semi-detached houses as it is considered that this unbalances the pair and results in a loss of symmetry. In some cases, roof forms in a street may be uniform and therefore this type of alteration may erode the group value of the street and will not be supported by the Council.
- 7.1.5 Policy CA2 of the Croxley Green Neighbourhood Plan sets out that domestic extensions requiring planning consent should seek to conserve and enhance the character areas described in Appendix B through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which

it is located will be resisted. The application site is located within Character Area 4. Proposal should take account of the guidelines in Appendix C. Appendix C sets out that in the case of semi-detached houses any side extension should take account of the effect on the streetscene of a lop-sided extension. Roof extensions should not involve the raising of the roof ridge, a change from hip roof to gable (other than a “Sussex hip” or “half hip” or the construction of front dormers which are out of scale with the host building.

- 7.1.6 The hip to gable extension would be readily visible from the streetscene by virtue of its siting at roof level. The application site occupies a corner plot within the cul-de-sac. As a result of its position, public views of the hip to gable extension would be limited to the cul-de-sac and those properties to the rear rather than wider views. The site benefits from a Lawful Development Certificate (25/1620/CLPD) for a loft conversion including a hip to gable extension and a rear dormer. However, the works being carried out on site do not fully accord with that lawful position. In particular, the dormer cheeks have been built in brick which is not of similar appearance to the exterior of the existing dwellinghouse and is different to the required tile hanging and therefore fails to comply with the relevant materials condition (under Class A) of the General i Permitted Development Order. This amounts to a breach of condition, although it does not render the whole structure of the dormer unlawful. In these circumstances the Local Planning Authority could serve a Breach of Condition Notice requiring the dormer cheeks to be finished in tiles. The applicant has agreed to revert the dormer cheeks to hanging tiles which is reflected on the amended plans, it is on this basis that these works will be assessed. Despite the additional rooflights within the front roofslope and the replacement of the existing roof tiles, if the dormer cheeks were to be reverted to tile hanging, then there would still be a valid fallback position
- 7.1.7 In any case, at the time of writing the works are not substantially complete, and as set out above are included within the assessment of this application. Whilst not the prevailing character within the cul-de-sac there are other examples of hip to gable extensions and rear dormers within the immediate streetscene including No. 7, 6, 4 and 3, it should also be noted that No. 3 also benefits from a two-storey side extension. As such, given the character of the area, the hip to gable roof form is considered to be an acceptable addition to the street scene that would not result in undue harm.
- 7.1.8 The dormer window would be a large structure, which would not be subordinate to the host dwelling and would therefore fail to meet the criteria at Appendix 2 of the DMP LDD. Whilst the dormer as built does not fully accord with the approved lawful development certificate in respect of its materials, this would not render the entirety of the dormer structure unlawful. Despite its increased width, it is acknowledged that the dormer could still benefit from deemed planning permission should the cheeks be reverted back to hanging tiles as proposed under this application and this would provide a valid fallback position in the context of the application site, and accordingly would be given significant weight. As such, the permitted development fallback position is a material consideration which would in this case outweigh the harm to the dwelling and character of the area caused by the size of the rear dormer window. There are a number of other dormer windows of a similar scale within the immediate vicinity of the site.
- 7.1.9 In its current form, the dormer cheeks contribute to an incongruous pattern of development which would result in demonstrable harm to the character of the host dwelling and wider streetscene. As amended, the brickwork is proposed to be removed and the dormer cheeks would be finished in hanging tiles, more akin to other dormers within the vicinity of the application site and thus, on balance officers do not consider that the proposal would result in demonstrable harm to the character or appearance of the host dwelling such to justify a refusal in this regard. . In the event permission were refused, the dormer could still be constructed as it would likely still benefit from deemed planning permission by virtue of the General Permitted Development Order should the dormer cheeks be reverted to a hanging tile. In the event permission were to be granted a condition would be attached requiring the removal of the brickwork from the dormer cheeks. As above, the proposed development includes an additional roof volume associated with the roof of the two-storey side extension

of approximately 9.78m³. The development found to be lawful under the Lawful Development Certificate has a cumulative volume increase of 40.1m³. The as-built position has increased the width of the dormer which has taken the cumulative volume addition (hip to gable and rear dormer) to 42.75m³. In this context, the additional volume of the side extension would result in a cumulative volume of roof additions which would amount to 52.53m³. In this context, officers consider that the dwelling has exhausted the scope for further roof enlargements under permitted development. As such, it is not considered reasonable or necessary to remove permitted development rights under Class B, as it is unlikely that any further built form could be accommodated within the remaining permitted development allowances.

- 7.1.10 The dwelling's roof tiles have been replaced with a charcoal grey roof tile, which has increased the dwellings prominence within the streetscene. However, there are examples of other dwellings within the streetscene that have grey roof tiles, and when looking at the wider area, materials differ more widely. The streetscene in The Crescent is not uniform in its appearance nor is there a prevailing pattern of materials given that a number of properties have been extended. In this case, it is not considered that the grey roof tiles would appear unduly out of character such to justify a refusal in this case.
- 7.1.11 The proposed two storey side extension would be set back from the front elevation of the dwelling by approximately 0.5m and would be set down from the main ridge line, ensuring it appears as a subordinate addition to the host dwelling. A minimum separation of 1m would be retained to the flank boundary with No. 8. Whilst this falls below the 1.2m separation typically sought under the council's design criteria, the guidance confirms that in higher density areas a reduced separation of 1m may be considered acceptable. The application site is considered to be located within a higher density area, where plot widths and spacing between dwellings are generally modest. In this context, the proposed 1m separation is considered proportionate. Furthermore, the spacing increases along the boundary as it splays away from the narrowest point, reducing any perception of enclosure or undue bulk.
- 7.1.12 It is also noted that there is an example of a two-storey side extension within the cul-de-sac at No. 3, as above the streetscene is also varied. It is therefore not considered that the development would appear unduly out of character when read in this context and owing to the spacing retained it is considered that the development would not result in the creation of a terracing effect. In terms of its overall bulk and massing, owing to the set back from the front elevation, its spacing to the boundary and set down from the ridge line it is considered that the development would remain subordinate to the host dwelling and would be of a scale, form and pattern of development which would not give rise to an incongruous or unduly prominent development such to justify the refusal of planning permission in this regard.
- 7.1.13 The proposed windows within the front, rear and side elevation of the extension are considered to reflect the style and appearance of the existing fenestrations and would not appear unduly out of character. The rooflights within the front and rear roofslope of the main dwelling and within the roofslope of the side extension are considered to be large, however, would be proportionate in number with the remainder of the roofslope remaining legible. It is also noted that there are examples of rooflights within the immediate context of the application site and thus on balance it is not considered that these additions in this case would appear unduly out of character.
- 7.1.14 In addition to the above, external wall insulation is proposed to all elevations of the dwelling including the extension. The walls would then be finished in a smooth white render, which again is considered to increase the visual prominence of the host dwelling within the streetscene. Whilst this would unbalance the host dwelling from its semi-detached pair which is finished in a mix of brick and pebbledash, there are examples of render within the streetscene and more widely within the wider area. It is therefore not considered that the render finish would appear incongruous or unduly out of character such to justify a refusal in this regard. All windows are proposed to be replaced with double glazed units, these

would match the existing in terms of style and appearance and thus there replacement is not considered to result in demonstrable harm to the character of the host dwelling or wider streetscene.

- 7.1.15 Whilst the application site is not located within the Conservation Area, the rear boundary adjoins the boundary with the Dickinson Square Conservation Area. The properties to the rear are located within Cherry Croft. The Conservation Officer was consulted on the proposal and notes that Cherry Croft appears to be a later addition to the Conservation Area, and in terms of its setting raised no in principle concerns and advised that the development would have a neutral impact on the setting.
- 7.1.16 In summary, the proposed development would not result in any adverse harm to the character or appearance of the streetscene, area or adversely affect the setting of the Dickinson Square Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013) and Policy CA2, Appendix B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.3 The proposed loft conversion, including hip to gable extension and rear dormer window is not considered to be readily visible from the neighbour at No. 8 given that the rear of the host dwelling is angled away from this neighbour. Whilst it introduces additional bulk and massing at roof level, given the relationship between the two dwellings it is not considered that this would result in an overbearing form of development or harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling. Two windows are proposed within the rear elevation of the dormer, which would predominantly angle views to the rear, thus it is not considered that this would result in harmful overlooking of this neighbouring dwelling.
- 7.2.4 In relation to the adjoining neighbour at No. 10, it is noted that there is a planning application permitted via LPA reference 26/0126/FUL for a part single, part two storey side extension. The development subject of that application has not been implemented on site and therefore limited weight would be attached to this. In any case, the rear dormer in its current form adds bulk at roof level adjacent to the boundary with this neighbour which appears overbearing by virtue of the dormer cheeks having been constructed in brickwork, however, the proposal includes the removal of this and its replacement with tile hanging to the dormer cheeks, therefore the development as proposed by virtue of its height and siting is such that it would not appear overbearing or visually intrusive. Whilst the dormer as built does not fully accord with the approved details and therefore constitutes a breach of condition in respect of the dormer cheeks, this would not render the entirety of the dormer structure unlawful. Despite its increased width, it is acknowledged that the dormer could still benefit from deemed planning permission should the cheeks be reverted back to hanging tiles as proposed under this application and this would provide a valid fallback position in the context of the application site and accordingly would be given significant weight. As proposed, it is not considered that this element would give rise to an overbearing form of development or harmful loss of light as experienced by the occupiers of this neighbouring dwelling. The rear windows would introduce fenestrations at the second-floor level which

did not previously exist, and it is therefore acknowledged that both perception and actual overlooking would increase. However, views would predominantly be directed outward or towards the rear garden of the neighbouring dwelling. As such, it is not considered that the additional fenestrations at this level would facilitate harmful overlooking of this neighbour such to justify a refusal in this regard.

- 7.2.5 The loft conversion including hip to gable extension and rear dormer window would be readily visible from those properties to the rear on Cherry Croft, notably No. 4-7 whose rear boundaries adjoin the rear of the application site. Whilst the development would be visible, sufficient spacing would be retained to the boundary with these neighbours with a minimum of approximately 20m from the rear of the extension to the rear elevation of No. 5 Cherry Croft. Given the existing relationship between the application site and these neighbouring dwellings, it is considered that there is an inherent degree of overlooking particularly at first floor level. Whilst the additional windows at the roof level would increase both perceived and actual overlooking given that windows did not previously exist at this level. However, views are considered to be directed outwards, and whilst it is acknowledged that overlooking may increase, it is not considered that these views would result in harmful overlooking beyond that of the inherent overlooking that already exists at the first-floor level. In light of the above, on balance it is not considered that the proposal would result in an overbearing form of development or harmful loss of light to the residential amenities of the occupiers of these neighbouring dwellings such to justify a refusal of permission in this regard.
- 7.2.6 The proposed two storey side extension would be sited closest to the boundary with No. 8 The Crescent. The application site occupies a corner plot, meaning there is an existing angled relationship with this neighbour. The side extension would be set back from the front elevation of the host dwelling, and it would remain set off the shared boundary by a minimum of 1m at both ground and first floor level with the spacing increasing as the boundary splays. The roof form would be gabled and would be set down from the main ridge line of the dwelling. It is considered that the spacing to the boundary and the set back from the front elevation would to some extent reduce the perceivable bulk and massing, officers do however acknowledge the visual impact. However, owing to the set down from the ridge line, the separation retained to the boundary and the extensions set back from the front elevation it is not considered that the development would give rise to an overbearing form of development or harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling such to justify a refusal of permission in this regard.
- 7.2.7 With regards to the ground floor fenestrations within the front and rear of the extension these would predominantly have outlook over the application site's frontage and rear amenity space and are not considered to facilitate additional overlooking beyond that of the existing fenestrations. The door within the ground floor side elevation would serve the utility room and whilst this would face towards the boundary with No 8, owing to the separation from the boundary, the existing boundary treatments and its siting at the ground floor level it is not considered that this door would give rise to unacceptable overlooking of this neighbour.
- 7.2.8 Officers acknowledge that concerns have been raised regarding the first-floor windows within the extension. The window within the side extension would predominantly have outlook over the application site frontage, and the highway/site frontages of the neighbouring properties. It is noted that this window would serve a habitable room (a bedroom) and given the angled relationship between the host dwelling and the neighbour at No. 8 it is considered that this may result in an increased perception of overlooking given that the window would be closer to the boundary. However, given the site context it is considered that there is an inherent degree of overlooking between neighbouring properties particularly on the corner plots. As above, it is considered that views would predominantly be directed over the site frontages of neighbouring dwellings as opposed to direct overlooking of first floor habitable rooms. Thus, on balance, it is not considered that this

window would facilitate additional or harmful levels of overlooking of this neighbour such to justify a refusal in this regard.

- 7.2.9 The properties to the rear of the site on Cherry Croft have a back-to-back relationship with the application site. There is a minimum separation distance of approximately 20m from the rear elevation of the extension/host dwelling to No. 5 Cherry Croft, this increase to approximately 22m to No. 4 and No. 6, approximately 25m to No. 7 and approximately 28m to No. 3. The proposed side extension would not extend beyond the current rear building line of the application dwelling, whilst the development would be visible from the rear of these properties, appropriate spacing would be retained to the boundaries. The development is read in the backdrop of existing development to the northwest and east with the neighbouring dwellings adjacent and on the opposing side of The Crescent visible from the rear of these sites. Given the separation retained to the boundaries and the set down from the ridge it is not considered that the proposed extension would result in demonstrable harm to the residential amenities of the occupiers of these neighbouring dwellings such to justify a refusal in this regard. Whilst it would introduce an additional window within the rear elevation at the first-floor level, it is not considered that this would facilitate additional levels of overlooking beyond that of the existing first floor rear windows.
- 7.2.10 The rooflights in the front and rear roofslope of the side extension would serve loft storage within the roofspace and are therefore not considered to result in overlooking of any neighbouring dwelling. The rooflight within the main roofslope of the host dwelling would serve the loft accommodation, it is considered that views would largely be over the application site frontage and adjacent highway and are not considered to give rise to unacceptable overlooking of any neighbour.
- 7.2.11 The proposed alterations to external materials including external wall insulation, render, replacement roof tiles and replacement windows are not considered to give rise to demonstrable harm to the residential amenities of the occupiers of any neighbouring dwelling.
- 7.2.12 In summary, subject to conditions the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.3 Wildlife and Biodiversity

- 7.3.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
- 7.3.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.4 Mandatory Biodiversity Net Gain

- 7.4.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).
- 7.4.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.
- 7.5 Trees and Landscaping
- 7.5.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.5.2 The application site is not located within a Conservation Area and there are no trees protected by a Tree Preservation Order within the site. The rear boundary of the application site adjoins the Dickinson Square Conservation Area where all trees are afforded protection by virtue of the Conservation Area designation. The development is sited to the side of the dwelling where there are no trees present. The application form declares that no trees or hedges need to be removed or pruned in order to carry out the proposal and is therefore considered acceptable in this regard.
- 7.6 Rear amenity
- 7.6.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.
- 7.6.2 The existing dwelling has three bedrooms at the first-floor level. It is acknowledged that the existing floor plans show one additional bedroom at loft level, these works are currently being implemented following the permitted Lawful Development Certificate via 25/1620/CLPD. At the time of the officer site visit these works were not substantially complete. Therefore, for the purposes of this assessment, the starting point would be that the dwelling has 3 bedrooms.
- 7.6.3 The proposal therefore would increase the number of bedrooms within the dwelling by two (one in the loft and the other in the proposed side extension), resulting in a five-bedroom dwelling.
- 7.6.4 Appendix 2 of the DMP LDD sets out that five-bedroom dwellings would require 126sqm of rear amenity space. The application site would retain approximately 137sqm of rear amenity space, which would comply with the guidelines above. The proposal is therefore considered acceptable in this regard.
- 7.7 Highways, Access and Parking
- 7.7.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.7.2 The existing dwelling has three bedrooms at the first-floor level. It is acknowledged that the existing floor plans show one additional bedroom at loft level, these works are currently

being implemented following the permitted Lawful Development Certificate via 25/1620/CLPD. At the time of the officer site visit these works were not substantially complete. Therefore, for the purposes of this assessment, the starting point would be that the dwelling has 3 bedrooms.

7.7.3 The proposal therefore would increase the number of bedrooms within the dwelling by two (one in the loft and the other in the proposed side extension), resulting in a five-bedroom dwelling.

7.7.4 Appendix 5 of DMP LDD sets out that four or more-bedroom dwellings require 3 assigned spaces within the dwelling's curtilage. The application site has an existing driveway with off street parking provision for two vehicles. No increase in provision is proposed and there would therefore be a shortfall of one space. The Croxley Green Permit Parking Zone exists on local roads adjacent to the application site, as well as double yellow lines which would limit parking availability in the immediate vicinity and therefore opportunities for injudicious parking. Whilst the shortfall is noted it is not considered to be significant in this regard given the location of the site and its proximity to local amenities/public transport including Croxley Station which is approximately a 3-minute walk from the application site. The proposal is therefore considered acceptable in this regard.

8 Recommendation

8.1 That Part-Retrospective PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The parts of the development hereby permitted and not begun shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 0126-01, 0126-02 A, 0126-03 B

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the setting of the character and appearance of the Dickinson Square Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2, Appendix B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

C3 Within SIX MONTHS of the date of this decision, the brickwork used to construct the dormer cheek adjacent to No. 10 as more particularly shown on plan number 0126 02 A, shall be reverted to tile hanging of similar appearance to the roof of the dwelling, as more particularly shown on plan number 0126 03 B and shall be retained in such condition thereafter.

Reason: For the avoidance of doubt, and in the proper interests of planning and in the interests of ensuring the external appearance of the building is satisfactory and to safeguard the amenities of neighbouring occupiers in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies (adopted July 2013).

C4 The extension(s) shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Number 0126-03 B; and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the building is satisfactory in

accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first-floor side elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application and include a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{b (a)} Making a Non-Material Amendment

{b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.
- 15 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

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26/0073/RSP – 9 The Crescent Site Photos

Preexisting (October 2025)



Figure 1: October 2025 Pre Existing Front Elevation



Figure 1: October 2025 Pre Existing Rear Elevation

February 2026





Figure 3: February 2026 Front Elevation and Rear View



Figure 3: February 2026 Side Elevation

View from Neighboring Sites – Cherry Croft



Figure 4: View from 5 Cherry Croft Rear Garden



Figure 5: View from 5 Cherry Croft First Floor Rear Window



Figure 6: View from 7 Cherry Croft Rear Garden



Figure 7: View from 7 Cherry Croft First Floor Rear Window

March 2026





PLANNING COMMITTEE – Wednesday 27 May 2026

26/0122/FUL – Alterations to elevations of existing car park building to enclose upper floor for commercial use (Class E), including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations at TRINITY COURT, CHURCH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1RT

Parish: Batchworth Community Council
Expiry of Statutory Period: 26.03.2026
Extension of time: Agreed to 29.05.2026

Ward: Rickmansworth Town
Case Officer: Tom Norris

Recommendation: That Planning Permission be granted, subject to conditions.

Reason for consideration by the Committee: Called in by Batchworth Community Council unless Officers are minded to refuse due to parking concerns.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T9ITFHQFJQE00>

1. Relevant Planning History

- 1.1 25/1509/FUL - Alterations to elevations of existing car park building to enclose upper floor, including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations. - 07.11.2025 – **Refused**

R1 The proposed development would result in a shortfall of car parking within the application site and would therefore have an unacceptable parking impact within and adjacent to the application site by causing undue pressure to park informally within the site and on the surrounding highway network to the detriment of highway safety. The proposed development is contrary to Policy CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013), Policy BW CO7 of the Batchworth Neighbourhood Plan (2025) and the NPPF (2024).

- 1.2 24/1265/PDM - Prior notification: Change of use from commercial, business and service (Use Class E) to 38 residential units (Use Class C3). - 29.10.2024 – **Permitted, Not Implemented** (Application relates to use of main Office Building, with use of car parking building not changed)
- 1.3 04/0193/ADV - Advert Consent: Marketing sign - 27.04.2004 – Permitted
- 1.4 8/27A/90 - Retention of floodlit advertisement board - 17.05.1991 – Permitted
- 1.5 8/11A/89 - Erection of floodlight advertisement board - 14.04.1989
- 1.6 8/155/89 - Occupation of building in non-compliance with condition 9 of planning permission 8/413/88 dated 17/11/88 - 06.04.1989 – Refused
- 1.7 8/413/88 - Redevelopment of existing chemical works to provide a new building for business use Class B1), two storey car park, landscaping and external works - 17.11.1988 – Permitted & Implemented

2. Site Description

- 2.1 The application site is located on the western side of Church Street (A404), Rickmansworth. The site contains a three-storey building, in business use, and associated car parking,

including a two-storey covered car park located to the front (east) of the site. This application relates solely to the car park building.

- 2.2 The site contains a vehicular access off Church Street (A404). The site is on an island, bound to its northern, southern and western boundaries by a watercourse where the River Colne and the River Chess meet, and the Grand Union Canal. Surrounding land uses include a waste depot, public house, supermarket, and residential dwellings beyond the river to the south. Beyond the river to the north is a recycling centre, and Rickmansworth Aquadrome, an area of public open space. Rickmansworth town centre is further to the north. The site is outside of Rickmansworth Controlled Parking Zones.

3. Proposed Development

- 3.1 The application seeks planning permission for alterations to elevations of existing car park building to enclose upper floor, including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations.
- 3.2 It is proposed that the open sided elevations to the upper floor of the existing car park building are enclosed with a brick finish. It is also proposed that windows and balustraded full height windows are installed to the upper level of the building. It is proposed that associated works are carried out including a new ramped and staircase pedestrian access to the upper floor level. The lower level of the car park would remain as existing, in its current use as a car park.
- 3.3 It is proposed that the internal area of the upper floor, which is currently used as a car park, is converted to a "Class E" use, following the enclosure of the external walls, as described above.
- 3.4 It is proposed that an area adjacent to the building, which is currently paved, is landscaped and this is labelled on the drawings as 'communal garden'.
- 3.5 This application follows a previously refused application (25/1509/FUL) for the same description of works. This earlier application was refused on the basis that it was not satisfactorily demonstrated that the development would not result in a shortfall of parking provision, giving rise to parking informally within or around the site. This application is accompanied by a Transport Assessment and further information, including clarification on the exact number of parking spaces, floorspace contained in the existing office building, and proposals for additional car parking spaces across the site.

4. Consultee Responses

- 4.1 Batchworth Community Council: [Objection]

BCC is concerned that the resulting car parking spaces will continue to be insufficient for the additional tenants. BCC seeks further clarification on the number of car parking spaces as the plans show conflicting numbers. The application refers to a transport statement which has not been appended to the application.

BCC would like to call this into committee unless officers are minded to refuse.

- 4.2 National Grid (Gas): No response received.

5. Neighbour Consultation

- 5.1 Site/Press Notice:

- Site notice posted 03.02.2026, expired 24.02.2026.

- Press notice not required.

5.2 No. consulted: 44

5.3 Number of responses received: 1 (Objection)

5.4 Summary of responses:

- Objection to change in appearance of car park building
- Proposal is fundamental change from use as a car park
- Application 24/1265/PDM was approved on basis of car parking provision.
- Reduction to car parking, creating a shortfall

5.5 **Officer comment:** Officers acknowledge that a separate permission 24/1265/PDM was permitted on the basis that the car park, subject of this application, was retained in this use. Officers note that this permission has not been implemented. The acceptability of this current application is assessed on its own merit. If any further permission is granted, the applicant will be reminded that multiple permissions cannot be implemented, particularly if the reasons that they were found acceptable conflict with one another.

5.6 All other material planning considerations are addressed in this report.

6. Relevant Local and National Policies

6.1 Legislation

6.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

6.1.2 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

6.1.3 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

6.1.4 The Environment Act 2021.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

6.2.1 In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

6.2.3 The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

6.2.4 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP6, CP10 and CP12.

6.2.5 The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM4, DM6, DM8, DM9, DM10 and DM13, and Appendix 4 and 5.

6.2.6 The Site Allocations LDD was adopted in November 2014. Policy SA2 and site E(b) are relevant.

6.2.7 The Batchworth Neighbourhood Plan (Referendum Version) was approved in May 2025 following a residential referendum. Policy BW CO7 and BW CO8 are relevant

6.3 Other

6.3.1 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

7. **Analysis**

7.1 Principle of Development

7.1.1 The National Planning Policy Framework sets out that the Government is committed to securing economic growth to create jobs and prosperity and advises that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

7.1.2 Policy CP1 of the Core Strategy seeks to ensure that development contributes to the sustainability of the district and sets out provisions including that development should consider the need to maintain high levels of employment by attracting jobs and training opportunities for local people.

7.1.3 Policy CP6 of the Core Strategy further states that the Council will support development that sustains parts of the district as attractive areas for business locations and that the sustainable growth of the Three Rivers economy will be supported by continuing to focus employment use within the key employment areas within the district including Rickmansworth Town Centre.

7.1.4 Policy SA2 of the Site Allocations LDD sets out that allocated employment sites will be safeguarded for business, industrial and storage or distribution uses.

7.1.5 Policies BW CO7 and BW CO8 of the Batchworth Neighbourhood Plan (2025) relate to employment and design principles for B2-B8 employment uses.

7.1.6 This application proposes a change of use of one level of a car park building, which serves a three-storey office building.

7.1.7 The office building is currently in office use (formerly categorised as B1(a) use, now categorised as E(g)(i) use). The car park building is associated with the wider use of the

site. The original planning permission for development of the site to its current form (8/413/88) included Condition 3, which states that the car park shall be permanently retained for parking to serve the office use. Condition 7 of this permission is also considered to be relevant which states that no enlargement to any building subject of the permission, nor shall any additional floorspace be provided within such building, without the prior written permission of the Local Planning Authority. The proposed development therefore requires permission.

7.1.8 The proposed floor plans state that the new use would be “Class E”, which covers a wide range of uses. The planning statement and application form suggests the newly created “Class E” floor space would also be an office use. It is unlikely that there would be an in principle objection to office use. Class E is broad and, in the absence of further information about the intended use, it would be necessary to restrict the proposed use because it is considered that an open ended Use Class E use would not be appropriate. Use Class E(a) and (b) are not considered appropriate to the location, because such uses are better suited to town centre locations, and such uses may result in the need for increased on-site parking that is not accounted for in the submission. Similarly, Use Class E(f) is not considered appropriate because the nature of that use would have the potential to impact trips to and from the site and general intensification of the site which are considered to require further detailed consideration. On that basis, a condition is attached restricting the use to those parts of Use Class E considered appropriate having regard to the context of the application site and the available parking on site..

7.2 Impact upon the character and appearance of the area

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 relates to design and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

7.2.2 The Batchworth Neighbourhood Plan (Referendum Version) was approved in May 2025 following a residential referendum. The Batchworth Neighbourhood Design Code is also relevant, as an appendix to the Plan. The application site is within Character Area 1: Rickmansworth Town.

7.2.3 The existing car park building is located close to Church Street, where the road bridges over the watercourse. It is set at a lower level to the road due to the bridge, therefore the upper floor to the building is the main visible part from the road. The full extent of the building is also visible from public vantage points including footpaths adjacent to the canal. The proposed development would alter the appearance of the existing building, departing from its currently open and somewhat industrial character to a more enclosed and solid appearance. The existing building is a relatively prominent feature in the street, and the proposed changes would make the building more noticeable in its surrounding context however it is not considered that this would equate to harm. The proposed new external walls would be a brick to match part of the existing building, and the Trinity Court office building. It is considered that the proposal to enclose the building and install windows would not cause demonstrable harm to the street scene or area. It is considered appropriate to condition final details of external materials prior to their use, to ensure that the development has a satisfactory appearance. It is considered that the proposed associated works, including landscaping adjacent to the building would not cause any harm in this regard. Overall, the proposed development would not harm the character and appearance of the dwelling or area.

7.2.4 In summary, the proposed amended development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, the Batchworth Neighbourhood Plan (2025), and the NPPF (2024).

7.3 Impact on Neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM9 of the Development Management Policies document states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development.

7.3.2 It is not considered that the proposed development would result in any loss of light or overbearing impact to any adjoining neighbour given the separation distance and the works taking place within the footprint of the existing building. The proposed development would include windows serving floor space to be occupied in Class E use. The planning statement submitted with the application indicates a proposed office use. It is not considered that the proposed development would harmfully overlook neighbouring occupiers, including the rear gardens on Harefield Road. It is not considered that demonstrable harm by noise would occur from the use.

7.3.3 The proposed development would therefore be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM9 of the Development Management Policies LDD.

7.4 Highways & Parking

7.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards and states that:

- B1(a) Offices must provide 1 car parking space per 30sqm of gross floor area.

7.4.2 Appendix 5 states that the standards for car parking (except for C3 Residential) may be adjusted according to which zone the proposed development is in. The application site in this case is in **Zone 4** where 75-100% of indicative demand-based standard may be applied.

7.4.3 Policy BW CO7 (Employment) of the Batchworth Neighbourhood Plan (2025) is also relevant, which states that conversion of existing buildings for employment use may be supported subject to the impact of provision on the highway network and parking.

7.4.4 An application was previously refused for the same development at the site on this ground. This was on the basis that it was not satisfactorily demonstrated that the development would not result in a shortfall of parking provision, giving rise to parking informally within or around the site. This application is accompanied by a Transport Assessment. Relevant details include clarification on the exact number of parking spaces, floorspace contained in the existing building, and proposals for additional car parking spaces across the site. Under the previous application, Officers were required to make some assumptions to calculate the parking.

7.4.5 The existing use of the site is offices, contained within the three-storey building on the site known as Trinity Court. The site contains a two-storey covered car park building and surface car parking across the rest of the site. There is a total of 101 car parking spaces provided across the site currently.

7.4.6 The adopted parking standards dictate that the existing use (approximately 2500sqm of office floor space) should provide 83 car parking spaces. The existing parking provision, set out above broadly accords with this, with some oversupply of parking provision.

- 7.4.7 The proposed development would result in the loss of 22 car parking spaces from the upper level of the covered car park building, through its proposed conversion to Class E floor space. The proposed new floor space would also create a demand for a further 15 car parking spaces, applying the above adopted standards.
- 7.4.8 The proposed development would therefore have a total demand for 98 car parking spaces (83 add 15). The proposed parking provision would be 79 spaces (101 total existing, minus 22, plus an extra 2 spaces provided). There would therefore be a proposed shortfall of 19 car parking spaces.
- 7.4.9 The shortfall in parking provision from the proposed is relatively large. A zonal based reduction may be applied, given the site's location near to Rickmansworth Town Centre, which includes good public transport links. The zonal based reduction is up to 75% of the total demand, which would equal a demand of 74 spaces. In this scenario, if the reduction was applied to its most generous extent, the proposed development would result in an over provision of 5 spaces (demand of 74 spaces, and the provision of 79 spaces).
- 7.4.10 The previous consideration was that, based on the submitted information, the development would result in a relatively substantial parking deficit against the adopted standards. As such it was considered that Officers could not justify that the development would not result in pressures to park informally within and outside the site. This application has provided clearer information on the existing parking numbers, existing floorspace of the current use, and extra parking provision in the site. There would remain a shortfall in parking provision relative to the highest parking standard however this would not be as significant as the previous shortfall (previous shortfall of 35, now a shortfall of 19). When applying the zonal based reduction, given the sustainable transport links available locally, the development provides a marginal oversupply of parking. Taking this all into consideration, Officers consider that it would now not be justifiable to refuse the application on this ground, and the previous refusal reason has been satisfactorily overcome.
- 7.4.11 The proposed development is therefore acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013), Policy BW CO7 of the Batchworth Neighbourhood Plan (2025) and the NPPF (2024).

7.5 Contamination

- 7.5.1 Core Strategy Policy CP1 requires development to manage and reduce risk of and from pollution in relation to quality of land, air and water and dealing with land contamination. Policy DM9 of the Development Management Policies states that the Council will only grant planning permission for development on land, which is suspected to be contaminated, where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land.
- 7.5.2 Officers discussed this application with the Environmental Health Officer. On a recent application at the site (24/1265/PDM), the Environmental Health Officer recommended conditions that would also be relevant to this current application. The previous application included a change of use to the existing office building to a residential use. As noted above, this has not been implemented. The application site was redeveloped from a chemical works following permission granted in 1988. The Environmental Health Officer stated that the site, prior to being redeveloped as offices, had a potentially contaminative use as a chemical works. The Environmental Health Officer therefore recommended the inclusion of conditions for a risk assessment and remediation, a verification report, and reporting of any future contamination. The previous application, as is the case with this application, principally did not propose significant or obtrusive groundworks however the EHO insisted that the conditions were proportionate and necessary. It is noted that the proposed landscaping

works as part of this application would directly disturb the ground. Therefore, subject to the inclusion of conditions, the proposal would be acceptable in this regard.

7.6 Drainage & Flooding

7.6.1 Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) relate to flooding and drainage.

7.6.2 The application site is adjacent to an existing watercourse however is entirely within Flood Zone 1. It is not considered that there would be unacceptable flood risks to, or because of, the proposed development.

7.7 Trees

7.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.

7.7.2 The proposed development would not involve the removal of any trees.

7.8 Biodiversity

7.8.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.8.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.8.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application.

7.9 Mandatory Biodiversity Net Gain

7.9.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions.

7.9.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because it is subject to the de minimis exemption (development below the threshold). The LPA agree that Mandatory BNG would not apply in this instance.

8. **Recommendation**

That PLANNING PERMISSION GRANTED subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 000 B, 001 B, 002 B, 003, 004, 005, 006, 007, 008 B, 009, 010, 011

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP7, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM6, DM13 and Appendix 5 of the Development Management Policies LDD (adopted October 2013) and Policy DE1 of the Batchworth Neighbourhood Plan (2025).

- C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 The development hereby permitted shall be used only within Use Class E (c), (d), (e), and (g) and for no other purpose whatsoever (including any other purposes in Class E of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) (Or in any provisions equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Having regard to the location of the site outside of the primary and secondary retail frontage, the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent alternative use which could have an impact on residential amenity and the visual amenity of the character of the area or on car parking requirements and/or highway safety in accordance with Policies CP1, CP6 and CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- i) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C6 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

Informatives

11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

- (a) Making a Non-Material Amendment
- (b) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently

required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the district.
- I4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

Development below the de minimis threshold, meaning development which:

- a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

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PLANNING COMMITTEE – Wednesday 27 May 2026

26/0219/FUL - Erection of entrance ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works at THREE RIVERS HOUSE, NORTHWAY, RICKMANSWORTH, HERTFORDSHIRE, WD3 1RL

Parish: Batchworth Community Council Ward: Rickmansworth Town
Expiry of Statutory Period: 28.05.2026 (Agreed Case Officer: Lilly Varnham
Extension)

Recommendation: That PLANNING PERMISSION BE GRANTED.

Reason for consideration by the Committee: The application site is on Three Rivers Land.

To view all documents forming part of this application please go to the following website:

[26/0219/FUL | Erection of entrance ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works. | Three Rivers House Northway Rickmansworth Hertfordshire WD3 1RL](#)

1 Relevant Planning and Enforcement History

- 1.1 8/120/88: Erection of office building and ancillary car park. Permitted and implemented.
- 1.2 10/2174/FUL: Change of use of part of the ground floor of Three Rivers House to a police station with associated parking, including the erection of a small storage shed. Permitted and implemented.
- 1.3 12/1444/FUL: Change of use of part of ground floor from Council office space to use as part of Police Station either for office use or locker/amenity area and for storage; increase in parking from 12 spaces to 25 spaces. Permitted and implemented.
- 1.4 12/1981/FUL: Reallocation of parking spaces at Three Rivers House to provide 25 spaces in total (increase of 13) for the Police in order to provide sufficient parking for Intervention Team Officers. Erection of 2 metre high green paladin fencing to side of bays 20 and 21 (Rose Garden) and automatic barrier. Permitted and implemented.
- 1.5 15/1874/FUL: District Council Application: Installation of photovoltaic panels to roofslopes – Permitted and implemented.
- 1.6 22/2255/FUL: Installation of 7no. Air source heat pumps within timber enclosure in south western corner of top floor of car park – Permitted and Implemented.
- 1.7 25/1595/PDNE - Permitted Development Notice: Installation of solar panels – Permitted.
- 1.8 25/1754/ADV – Display of Flags – Permitted.

2 Description of Application Site

- 2.1 Three Rivers House is the principal office of Three Rivers District Council. Additionally, following the grant of planning permission 10/2174/FUL a large section of the East Wing of the building has been occupied by the Police since February 2011. The site is located within the Rickmansworth Town Centre Conservation Area.

- 2.2 The building is three storeys but when viewed from the north (front) it has a two-storey appearance due to the change in levels on Northway rising up to the north from the south. There is a decked car park to the east of the office building with a public right of way crossing it in an east to west direction between the Cloisters to the east and Northway to the west.
- 2.3 To the south of the building is Basing House, a two storey Grade II Listed Building, and Rickmansworth Library, a single storey flat roofed building. Beyond the library is the High Street which is mainly occupied by commercial premises.

3 Description of Proposed Development

- 3.1 This application seeks erection of entrance ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works.
- 3.2 A new entrance is proposed on the east elevation of the west wing of the building, facing the existing main entrance, where an existing window is proposed to be replaced by a single door. Alterations to the landscaping are proposed to facilitate the ramped access which would include the removal of existing railings/soft landscaping and the laying of further paving. The proposed ramp would be at a gradient of 1:20 and the handrails would be a stainless steel. The handrails would have a maximum height of approximately 1m.
- 3.3 A HVAC (Heating, Ventilation, and Air Conditioning) unit is also proposed on the eastern elevation of the western wing, but within the courtyard area to the rear of the building, set approximately 2.8m above the natural ground level. The unit would be 'Daikin RZQS140AV1', the unit would have a height of approximately 0.9m and a width of approximately 1.5m. On the submitted drawing, the depth of the unit is described as being approximately 0.3m. The submitted specification indicates that the unit would have a sound pressure level ranging from 35 dBA-45 dBA.
- 3.4 On the west, front and rear elevations of the western wing of the building a number of extract grills are proposed. The grills have a dimension of approximately 0.6m x 0.6m and would sit within the outer face of the existing wall. On the west elevation a total of four grills is proposed sitting at a height of approximately 6.8m above 'level 0' on the plans. On the front (north) elevation one grill is proposed sitting at the same height above 'level 0' and on the rear elevation one grill is proposed which would again sit at the same height. The grills would be 'aluminium louvre wall grilles' incorporating fixed horizontal rainproof blades. The grilles would include integrated insect and bird mesh to the rear. The finish would be polyester powder-coated in RAL 0817 (Chocolate Brown) or RAL 8014 (Sepia Brown) to match the existing external façade.
- 3.5 A bin store is proposed northwest of the building forward of the front elevation on an area of existing hardstanding utilised for parking. The bin store has a depth of approximately 3.25m and a width of approximately 2.3m. It would have a sloped roof with a ridge height of 2.25m and an eaves height of 2m. The bin store would be finished in tanalised timber. A set of doors are proposed within the front elevation facing the adjacent highway. The doors would be lockable. Black plastic gutters and downpipes are proposed to the rear of the bin store.
- 3.6 Amendments were received during the course of the application correcting the scale of the drawings and further amendments were received omitting reference to the signage. The applicant has been reminded that a separate Advertisement Consent application would be required and the signs therefore do not form a part of the assessment of this application.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 National Grid – [No response received]

4.1.2 Batchworth Community Council – BCC discussed and noted this application.

4.1.3 Conservation Officer – [Made the following comment]

The application is for Erection of entrance ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works.

The Site is in Rickmansworth Conservation Area, towards its northern boundary. The Conservation Area has an Appraisal and Character Assessment (CACA) adopted in 1993.

Three Rivers House is a large and prominent building and dates from the late twentieth century. It does not have any local or national heritage designations and is considered neutral in terms of the character of the Conservation Area.

There are two nationally Grade II listed buildings/structures, which have the potential to be impacted by the alterations to Three Rivers House:

Basing House (Historic England List Entry Number: 1100850) is directly adjacent to Three Rivers House. It was originally a large house with seventeenth century origins. It has architectural interest due to its built form and detailing and historic interest due to its association with William Penn.

War Memorial Statue (Historic England List Entry Number: 1348251) is located north of Three Rivers House, in the Rose Garden. It dates from 1921 and has historic and architectural interest as a sculpted World War One memorial.

Three Rivers House is very close to both listed structures, but there is no historic association between them and Three Rivers House does not currently contribute positively to their setting.

The proposal is for a ramp with handrails, alteration to fenestration, ventilation grills, bin store and associated landscaping works. There would be intervisibility between some of the works and the listed structures, including the ramp facing towards the War Memorial and the A/C unit facing Basing House.

However, in the context of the existing form of Three Rivers House these works would appear neutral in heritage terms and would not have a harmful impact on the setting of the listed buildings or the Conservation Area.

On this basis, there is no heritage objection to the proposal.

It is recommended that details of materials are secured through planning condition to ensure they are in keeping with the existing building and wider context.

This response has been made with regard to Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

4.1.4 Environmental Health Officer – [No response received]

4.1.5 TRDC Property Services – [Made the following comment]

We have no comments to make in connection with the application.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 3 No of responses received: 0

- 4.2.2 Site Notice Posted: 19.03.2026, Expired: 11.04.2026
- 4.2.3 Press Notice Published: 27.03.2026, Expired: 19.04.2026
- 4.2.4 Summary of Responses: No responses received.

5 Reason for Delay

- 5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

6.2 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2024 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM9, DM10, DM13, Appendix 2, Appendix 4 and Appendix 5.

Batchworth Neighbourhood Plan 2023-2038 (Referendum Version, November 2025). Relevant policies include: BW GB1 and BW DE1.

Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

Rickmansworth Conservation Area Appraisal (1993).

7 Planning Analysis

7.1 Design and Impact on the Street Scene and Conservation Area

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
- 7.1.2 Policy DM3 of the Development Management Policies LDD sets out that within Conservation Areas development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area.
- 7.1.3 Policy BW DE1 of the Batchworth Neighbourhood Plan sets out that new development in the Batchworth Neighbourhood Plan area shall be based upon a design led approach to development underpinned by good practice principles and reflecting a thorough site appraisal.
- 7.1.4 The proposed ventilation grills on the front, rear and west elevation of the western wing of the building would be readily visible by virtue of their siting on the outer face of the wall and owing to their height above ground level. Despite this, they would remain modest in scale at 0.6m x 0.6m and would be finished in a brown colour which would mimic the colour of the brickwork reducing the visual impact. The scale and number of the grills are considered proportionate to the scale of the host building; on balance it is not considered that these additions would increase the visual prominence of the building to an unacceptable degree and thus would preserve the character of the Conservation Area in this regard.
- 7.1.5 The proposed door within the ground floor east elevation of the building would be within an existing courtyard and would be facilitated by the removal of the existing window. The size of the opening would be increased which would to some extent increase its prominence

from the streetscene and wider Conservation Area. However, given that it would be limited to a single opening, and that the style and appearance of the door would appear to some extent mirror the style and appearance of existing doors which would be expected on a commercial premises it is not considered that this addition would appear incongruous or unduly prominent and thus would preserve the character of the Conservation Area.

- 7.1.6 The ramped access / handrails would be sited forward of the new door on the eastern elevation of the building. Whilst these would be visible there is existing hardstanding and handrails forward of this elevation, such that the proposal would be read in this context. The addition of the handrails would be limited to the ramped section of hardstanding. It is not considered that the additional hardstanding to facilitate the ramped section or the addition of the handrails would appear incongruous or unduly prominent when read in the context of the existing. The extent of the handrails would remain proportionate to the ramp and are not considered to be excessive in height, on balance, it is considered that this element would not result in undue harm to the character or appearance of the host building or wider streetscene and would preserve the character of the conservation area.
- 7.1.7 The proposed bin store would be sited northwest of the building, on an area of existing hardstanding. Given its position it is considered that the store would be prominent, however it would be set back from the adjacent access road in the corner with the existing retaining wall to the north. The scale of the store would remain modest and be of a limited height such that it would not appear unduly prominent or incongruous in the context to the building or the wider streetscene. The store would have a timber finish which is considered to be appropriate for the use of the building. On balance, owing to its limited scale and its backdrop against the raised embankment it is considered to preserve the character of the Conservation Area.
- 7.1.8 The proposed HVAC unit would be sited within the existing internal courtyard of the host building adjacent to existing air conditioning equipment and thus would not appear unduly out of character within its context. Given its positioning within the courtyard, public views would be limited and the unit itself owing to its modest scale is not considered to result in demonstrable harm to the character or appearance of the host building or wider Conservation Area. The proposal is therefore considered to preserve the character and appearance of the Conservation Area.
- 7.1.9 The Conservation Officer has reviewed the proposal and notes that there are two nationally Grade II listed buildings/structures [Basing House and War Memorial Statue], which have the potential to be impacted by the alterations to Three Rivers House. Whilst it is noted that there would be some intervisibility between some of the works and the listed structures, including the ramp which faces towards the War Memorial and A/C unit facing Basing House, in the context of the existing form, these works would appear neutral in heritage terms and would not have a harmful impact on the setting of the listed buildings or the Conservation Area. On this basis the Conservation Officer has concluded there is no heritage objection to the proposal. Whilst they have recommended that details of materials are secured through planning condition, sufficient information in respect of materials is considered to have been provided and would be considered appropriate in the site context, thus it is not considered reasonable to request further details via condition.
- 7.1.10 In summary, the proposed development would not result in any adverse harm to the character or appearance of the host building or streetscene and would preserve the character of the designated heritage assets. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policy DM3 of the Development Management Policies LDD (2013) and Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Referendum Version, November 2025).
- 7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.3 The closest residential neighbours are those on Northway at George Field House, Ashleigh Court and Sterling Rose House all of which are flatted developments. The western elevation faces out onto Northway in the direction of these residential neighbours. The changes proposed to this elevation are four external ventilation grills. George Field House is sited some 15m from the western elevation of the building, approximately 40m from Ashleigh Court and approximately 25m from Sterling Rose House. Owing to the nature of the proposed works and the spacing retained to neighbouring boundaries it is not considered that the proposed development would result in demonstrable harm to the residential amenities of the occupiers of the closest adjacent residential neighbours.
- 7.2.4 The other neighbour sites are Three Rivers House, the Police Station, Basing House and Rickmansworth Library all of which are commercial premises. On the basis of the changes proposed, which are considered to be modest in scale and relate largely to the external changes to the outer face of the building it is not considered that the proposal would result in demonstrable harm to the adjacent occupiers of these buildings. With regards to the changes to the frontage, including the ramped access and landscaping alterations, it is not considered that these changes would interrupt the existing access for Three Rivers House or the Police Station and are therefore not considered to result in demonstrable harm.
- 7.2.5 Policy DM9 of the Development Management Policies sets out that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development.
- 7.2.6 With regards to the HVAC unit, this is sited to the rear of Three Rivers House, in the same position as existing Air Conditioning Units. Based upon its siting it is not considered that this would result in unacceptable adverse impacts on the indoor or outdoor acoustic environment of existing or planned developments on the basis that it is located on a commercial premises, surrounded by existing units and other commercial buildings. In addition, the units sound pressure level ranges from 35 dBA-45 dBA which is equivalent to a whisper to normal conversation. Thus, it is considered that the proposal would comply with DM9 in this regard.
- 7.2.7 In summary, the proposed development would not result in any adverse impact on any neighbouring dwellings or adjacent commercial premises, and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.3 Wildlife and Biodiversity

- 7.3.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and

Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

- 7.3.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.4 Mandatory Biodiversity Net Gain

- 7.4.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

- 7.4.2 Policy BW GB1 of Batchworth Neighbourhood Plan 2023-2038 (Submission Version) sets out that Development proposals must manage impacts on biodiversity and secure a minimum net biodiversity gain of 10% on site, unless impractical given site constraints, as demonstrated through use of the most up-to-date version of Natural England biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material.

- 7.4.3 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application would be subject to the de minimis exemption (development below the threshold).

7.5 Trees and Landscaping

- 7.5.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

- 7.5.2 The application site is located within the Rickmansworth Town Centre Conservation Area; therefore, all trees are afforded protection by virtue of this designation. The proposed works are not considered to result in the loss of any existing trees and thus the proposal is considered acceptable in this regard.

7.6 Highways, Access and Parking

- 7.6.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

- 7.6.2 The gross floor area of the application site is approximately 925sqm. The parking standards at Appendix 5 requires one parking space per 30sqm of floor area – with a requirement for 30.8 parking spaces to be available for the application site based on this. It is understood that the site has 21 spaces on the lower deck of the car park and that there would therefore be a shortfall. The proposal would result in the loss of one existing space across the wider site. However, looking at the wider site as a whole Three Rivers House has a floor area of

approximately 3991sqm and has a requirement for 133 spaces. Across the lower deck, upper deck and Rose Garden car park it is understood that there are 136 parking spaces including the 21 mentioned above.

7.6.3 It is important to note that the wider site is provided on a shared basis and, when assessed holistically, the overall level of provision across the site would not result in a net operational shortfall, notwithstanding that users of the application site would not have dedicated access to all spaces. It should be noted that Appendix 5 sets out that the standards may be adjusted according to which zone the proposed development is in, with zones influenced by levels of accessibility. The site is within Parking Zone 2, where 25-50% of indicative demand based on standard may be appropriate, allowing a further reduction from the standard. On this basis, the loss of one space is considered acceptable in the context of the shared parking arrangement and when applying the zonal reduction.

7.6.4 In addition, the car park serves a building in a town centre location with other staff car parking areas located on the lower deck, upper deck and within the Rose Garden car park as indicated above. Outside of office hours, the proposal would result in one fewer publicly accessible car parking space however there are many other public car parking areas in the immediate vicinity of the site. It is noted that the application site is within the principal town centre, with bus and rail links within approximately 350m of the site. On this basis, there are sustainable modes of transport availability in the vicinity to help reduce any existing reliance on private modes of transport. The parking impact is considered acceptable, with no demonstrable harm resulting from the proposal.

7.7 Refuse/Recycling

7.7.1 Policy DM10 (Waste Management) of the Development Management Policies LDD (adopted July 2013) advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
- iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.7.2 The bin store is proposed on an area of existing hardstanding northwest of the building, currently utilised as parking. The siting and design of the bin store is considered to be of a modest scale, with the total height kept to a minimum, thus, it is not considered that the proposed bin store would give rise to an adverse impact to residential or workplace amenity. The bin store is sited adjacent to the highway providing easy access and is not considered to unduly obstruct site lines for pedestrians, cyclists or drivers based on its proposed position adjacent to the retaining wall. Thus, the proposal is considered to be acceptable in the context of Policy DM10.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 071-000-01 A, 071-600-01 B, 071-600-02 B, CC-HH-01 6, CC-HH-02 3, SM-03 2, TRDC01 (Amended Design & Heritage Statement), 3169-57-0G P1, SWDS-303 1

Reason: For the avoidance of doubt, and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and DM13 and Appendices 2, 4 and 5 of the Development Management Policies (adopted July 2013) and Policy BW GB1 and BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Referendum Version, November 2025).

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £145 per request (or £43 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.
- 15 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

- Development below the de minimis threshold, meaning development which:
- a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

- 16 The applicant is reminded that any proposed signage may require separate Advertisement Consent from the Local Planning Authority and should not be displayed without the necessary consent being obtained.













PLANNING COMMITTEE – 27 MAY 2026

26/0373/ADV – Advertisement Consent: Installation of internally illuminated fascia sign, and signs mounted on front/side of decking enclosure at 15 MONEY HILL PARADE, UXBRIDGE ROAD, RICKMANSWORTH, WD3 7BE

Parish: Batchworth Community Council
Expiry of Statutory Period: 11.05.2026
(Extension of time agreed to 29.05.2026)

Ward: Rickmansworth Town
Case Officer: Tom Norris

Recommendation: That Advertisement Consent be granted.

Reason for consideration by the Committee: The agent for the application is related to a member of staff.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=TBFN3FQFK8C00>

1. Relevant Planning History

- 1.1 24/1514/RSP - Retrospective: Change of use from restaurant to mixed use Class (E)(a) (restaurant) and Sui Generis (drinking establishment), installation of new shop front and the creation of front terrace - 16.12.2024 – Permitted
- 1.2 12/1452/FUL - Variation of Condition 2 pursuant to planning permission planning permission 08/0203/FUL to enable cafe to open between the hours of 08.00 and 22.00 everyday - 01.10.2012 – Permitted
- 1.3 11/2626/RSP - Part retrospective: New powder-coated aluminium shopfront to existing opening. Shopfront awning to existing opening. Painted render to shopfront area and flank elevation. 450mm x 450mm Cooker hood metal extract duct to flank elevation, terminated with a high velocity cowl [1000mm above pitched roof] - 02.02.2012 – Permitted
- 1.4 11/2624/ADV - Individual surface mounted non-illuminated letters [fascia sign] - 01.02.2012 – Permitted
- 1.5 11/1731/CLPD - Certificate of Lawful Proposed Development: - Proposed use of existing timber decking at the front of the property for table and chairs associated with the proposed cafe (use Class A3) - 10.10.2011 – Permitted
- 1.6 08/0203/FUL - Demolition of existing public convenience building and erection of two storey side and single storey rear extension to provide new cafe (Class A3) and three self-contained flats (Class C3) and extended restaurant (Class A3) - 03.04.2008 – Permitted
- 1.7 07/1652/FUL - Demolition of existing public convenience building and erection of two storey side and single storey rear extension to provide new cafe and three self-contained flats and extended restaurant - 12.10.2007 – Refused
- 1.8 07/0511/FUL - Demolition of existing public convenience building and erection of two storey side extension, two storey and single storey rear extensions incorporating extended restaurant/takeaway at ground floor, two x 2-bed flats at first floor and loft conversion to create a further 2-bed flat with 4 velux windows to front elevation and two dormer windows to rear elevation and front door with access to flats above - 08.05.2007 – Withdrawn
- 1.9 07/0071/FUL - Replacement shopfront, new access ramp, external air conditioning units and ducts, internal alterations and demolition of rear lean-to - 27.04.2007 – Permitted

- 1.10 07/0077/ADV - Advertisement Consent: Erection of 1 externally illuminated fascia sign and 1 illuminated projecting sign - 23.03.2007 – Permitted
- 1.11 06/1972/FUL - Change of use from restaurant (A3) to take away (A5) - 02.01.2007 – Permitted
- 1.12 05/0364/FUL - Variation of condition of 5 from planning permission 98/1039/8: to allow selling of hot food for consumption off the premises (take away) - 12.04.2005 – Withdrawn
- 1.13 99/02361/FUL - Variation of condition 2 of planning permission ref 98/1039 to extend opening times - 10.02.2000 – Refused
- 1.14 99/01451/FUL - Erection of conservatory - 26.07.1999 – Permitted
- 1.15 98/1039 - Change of use of ground floor from Class A1 (Shop) to A3(Food & Drink) Bistro - 04.03.1999 – Permitted
- 1.16 8/409/89 - Single storey rear extension and independent access to first floor flat via side door - 29.06.1989 – Permitted
- 1.17 8/6/89 - Part two-storey and part single-storey rear extension conversion of first and second floors to two flats and provision of independent access to flats - 16.02.1989 – Refused
- 1.18 8/721/74 - Change of use gem shop to brokers office - 04.02.1974 – Permitted

2. Site Description

- 2.1 The application site is located on the northern side of Moneyhill Parade, Uxbridge Road, Mill End. The application site contains a drinking establishment and restaurant, known as Pour Me. The establishment has operated in its current use for approximately four years. Retrospective planning consent was granted in December 2024 for its current use.
- 2.2 External alterations have been undertaken to the unit, including a new shopfront, signage, and enclosed seating area to the front. These are described in more detail in the following section.

3. Proposed Development

- 3.1 This application seeks retrospective advertisement consent for the installation of signage to the existing bar and restaurant.
- 3.2 The main fascia sign is internally illuminated and has a width of 5.37m and a height of 0.85m. A fascia sign positioned below this has the same width and a height of 0.33m. Two signs are applied to the enclosed decking area to the front. These each have a height of 0.75m and widths of 0.62 and 1.32m.

4. Consultee Responses

- 4.1 Batchworth Community Council: No objection.

BCC has discussed and noted this application.

- 4.2 National Grid (Gas): No response received.

5. Neighbour Consultation

5.1 Site/Press Notice:

- Site notice not required.
- Press notice not required.

5.2 No. consulted: 7

5.3 Number of responses received: 0

6. Relevant Local and National Policies

6.1 Legislation

6.1.1 Outdoor advertisements are within the scope of the control regime specified by the Secretary of State in the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

6.1.2 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

6.1.3 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

6.1.4 Environment Act 2021.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

6.2.1 In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

6.2.3 The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

6.2.4 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP10 and CP12.

6.2.5 The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM6 and DM9.

6.2.6 The Batchworth Neighbourhood Plan (Referendum Version) was approved in May 2025 following a residential referendum. Relevant policies include Policies BW CC1, and BW DE1. The Batchworth Neighbourhood Design Code is also relevant, as an appendix to the Plan.

6.3 Other

6.3.1 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

7. **Analysis**

7.1 Advert Regulations

7.1.1 Outdoor advertisements are within the scope of the control regime specified by the Secretary of State in the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended). This regime enables local planning authorities to control advertisements, when it is justified, in the interests of "amenity" and "public safety".

7.1.2 Amenity is not defined in the Regulations, although it includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality and the presence of any feature of historic, architectural, cultural or similar interest.

7.1.3 The National Planning Policy Framework states that the quality and character of places can suffer when advertisements are poorly sited and designed and that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

7.2 Impact on Local Amenity

7.2.1 Policy CP12 of the Core Strategy (adopted October 2011) states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

7.2.2 The Batchworth Neighbourhood Plan (Referendum Version) was approved in May 2025 following a residential referendum. Relevant policies include Policies BW CC1, and BW DE1. The Batchworth Neighbourhood Design Code is also relevant, as an appendix to the Plan. The Neighbourhood Plan and Design Code encourage signage not to result in clutter or untidiness to the street scene.

7.2.3 It is considered that the signage is not unduly prominent or out of character with the local area and context in terms of design. The main sign is internally illuminated. It is noted that the applicant has stated in their submission that they are not able to provide confirmation of the luminance levels of the sign in candelas per m². As the sign is already in-situ, Officers have observed this in the evening and consider that it integrates acceptably with the local commercial context and is not harmfully prominent.

7.2.4 In summary, it is considered that the proposed signage would not be unduly prominent or harmful to the character or appearance of the street scene and the advertisement would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policies CC1 and DE1 of the Batchworth Neighbourhood Plan (2025).

7.3 Impact on Neighbours

7.3.1 Policy CP12 of the Core Strategy states that the 'Council will expect all development proposals to protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM9 of the

Development Management Policies LDD also states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development.

7.3.2 The site is located within an established commercial area containing restaurants and shops. Existing neighbours will not be unduly harmed by the proposed signage. It is considered that the proposal would not result in any harm to residential amenity of any occupiers, particularly in terms of brightness of the sign. It is considered reasonable to include a condition on any permission granted that the internally illuminated sign is switched off outside of operating hours.

7.3.3 The proposed advertisement is considered acceptable and in accordance with Policy CP12 of the Core Strategy (2011) and Policy DM9 of the Development Management Policies LDD (2013). The proposed signage would not result in any demonstrable harm to neighbouring amenity in accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended).

7.4 Highways & Public Safety

7.4.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access.

7.4.2 The proposal would not adversely affect highway safety or operation and would be acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

7.5 Biodiversity

7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application.

7.5.3 In summary, the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013).

8. **Recommendation**

That ADVERTISEMENT CONSENT BE GRANTED subject to the following conditions:

- C1
- 1] The period of the validity of this permission is for five years commencing from the date of the decision notice.
 - 2] No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

3] No advertisement shall be sited or displayed so as to; (a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4] Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

5] Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

6] Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity

Reason: To comply with the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C2 The development hereby permitted shall be carried out and maintained with the following approved plans: 3, 4

Reason: For the avoidance of doubt, in the proper interests of planning in accordance with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended), Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM3, DM6, DM9 and DM13 of the Development Management Policies LDD (adopted July 2013), the Policies CC1 and DE1 of the Batchworth Neighbourhood Plan (2025), and the NPPF (2024).

C3 The internally illuminated advertisements hereby permitted shall not be turned on outside of the permitted opening hours of 09:00 hours to 20:00 hours Monday to Saturday and between 09:00 hours to 13:00 hours on Sundays and Bank Holidays.

Reason: To protect the amenities of occupiers of nearby residential dwellings in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD. (adopted July 2013).

Informatives

I1 The applicant is reminded that this decision grants Advertisement Consent for proposed new signage only.



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