

PLANNING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Tuesday, 31 March 2026 at 7.30 pm in the Penn Chamber, Three Rivers House, Rickmansworth WD3 1RL.

Members of the Planning Committee:-

Councillors:

Chris Whately-Smith (Chair)
Oliver Cooper
Harry Davies
Steve Drury
Philip Hearn
Stephen King

Elinor Gazzard (Vice-Chair)
Chris Lloyd
Abbas Merali
Chris Mitchell
Debbie Morris

*Joanne Wagstaffe, Chief Executive
Monday, 23 March 2026*

The Council welcomes contributions from members of the public to aid discussions on agenda items at the 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 meetings. 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. 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.

3. Declarations of Interest

To receive any declarations of interest.

4. 25/1346/FUL – Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth WD3 3JB (Pages 5 - 50)

Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth.

Recommendation: that planning permission be granted.

5. 25/1347/LBC – Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth, WD3 3JB (Pages 51 - 96)

Listed building consent: conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth.

Recommendation: that listed building consent be granted.

6. 25/1984/FUL - Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 Chestnut Avenue, Rickmansworth, Herts WD3 4HA (Pages 97 - 114)

Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 Chestnut Avenue, Rickmansworth.

Recommendation: that planning permission be granted subject to conditions.

7. 25/2228/RSP – Part-Retrospective: Construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth, Hertfordshire WD3 3GD (Pages 115 - 130)

Part-retrospective: construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth.

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

8. **26/0041/RSP - Part Retrospective: Demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance at 11 Pembroke Road, Moor Park, Northwood, Hertfordshire HA6 2HP** (Pages 131 - 156)

Part-retrospective: demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance at 11 Pembroke Road, Moor Park, Northwood.

Recommendation: that planning permission be granted subject to conditions.

9. **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 157 - 180)

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.

10. **Other Business - if approved under item 2 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

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PLANNING COMMITTEE - 31 MARCH 2026

25/1346/FUL – Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works AT Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Minor Dwellings

25/1347/LBC – Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Listed Building Consent

Parish: Croxley Green

Ward: Dickinson

Expiry of Statutory Period: 03.04.2026

Case Officer: Claire Wilson

Recommendation: That Planning Permission 25/1346/FUL and Listed Building Consent 25/1347/LBC are granted.

Reason for consideration by the Committee: Planning application 25/1346/FUL has been called in to committee by three members of the planning committee for the following reasons:

- Construction within the Conservation Area
- Significant building in Croxley
- Access
- Local interest

Whilst Listed Building Consent application 25/1347/LBC has not been called into Planning Committee, it is considered appropriate for the applications to be considered together.

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

25/1346/FUL:

[25/1346/FUL | Conversion of existing building into 6no. \(Use Class C3\) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB](#)

25/1347/LBC:

[25/1347/LBC | Listed Building Consent: Conversion of existing building into 6no. \(Use Class C3\) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB](#)

1 Relevant Planning History

There is extensive planning history with the most recent as follows:

- 1.1 14/2141/FUL: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.
- 1.2 14/2142/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the

adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

- 1.3 16/0963/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.
- 1.4 16/0964/FUL: Variation of Condition 2 (Approved Plans) of planning permission 14/2141/FUL to allow alterations to the footprint and layout of the approved care home. Application permitted.
- 1.5 18/1738/LBC: Listed Building Consent: Reconstruction and repairs to boundary wall. Application permitted.
- 1.6 20/1868/FUL: Variation of Condition 2 (Approved Plans) and removal of Condition 6 (Panelling) pursuant to planning permission 16/0964/FUL to allow alterations to the approved layout to retain existing panelling. Application permitted.
- 1.7 20/1961/LBC: Listed Building Consent: Variation of Condition 2 (Approved Plans) and Condition 5 (Panelling) of Listed Building Consent 16/0963/LBC to allow alterations to the internal layout including alterations to the existing panelling. Application permitted.
- 1.8 20/2366/LBC: Listed Building Consent: Construction of an outbuilding. Application permitted.
- 1.9 20/2371/FUL: Construction of an outbuilding. Application permitted
- 1.10 23/0483/FUL: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant planning permission in November 2023 subject to the completion of a S106 agreement. To date this has not been completed.

- 1.11 23/0484/LBC: Listed Building Consent: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant Listed Building Consent in November 2023. However, to date Listed Building Consent has not been granted as this application has been kept open in order to ensure that the Listed Building Consent would be granted at the same time as the relevant FUL planning application above.

2 Description of Application Site

- 2.1 Croxley House is a Grade II Listed Building located within the Croxley Green Conservation Area and the Metropolitan Green Belt. The building was previously in use as a residential care home accommodating 33 rooms, however, it is noted that the building has remained vacant since January 2021.

- 2.2 Croxley House is a red brick, two storey building with a single storey projection to the east, set within a landscaped setting. It is noted that the building has been historically extended. The listing for the property describes it as:

Large house, now old people's home. c.1770, extended late C19 and C20. Red brick, once stuccoed. Shallow hipped slate roof. 9 bays, 1:2:3:2:1. 2 storeys. Garden front: central 3 bays project slightly with a full height bow window. 3 ground floor French windows. First floor glazing bar sashes with stone sills, all with gauged brick flat arched heads. Flanking bays have glazing bar sashes, 16 pane on first floor. Outer bays have blocked basement, plinth, glazing bar sashes and an oriel on the ground floor to right. Original end bays project slightly. Boxed eaves. Central axial and flanking cross axial stacks. Link to 3 bay C19 addition to right, porch to entrance with pilastered surround, corniced hood, sashes, roof hipped to right. 2 extruded stacks on right return. To left 4 bays, 2 phases of C20 additions. Entrance front: late C19 ground floor projection to central 3 bays. Entrance to left with keyed segmental head. Double sash to right with twisted colonnette mullion. Dentilled brick course below cornice. Outer bays set back, large stair window to left with Gothic glazing. Some 16 pane sashes to right. End bays project slightly. End stacks on main block. C19 block to left has a semi-circular bow, French windows, casements, dentilled brick eaves. Interior: moulded plaster ceiling, late C19 carved chimneypiece with caryatids. (VCH 1908: Pevsner 1977).

- 2.3 To the north of the building is an area of hardstanding used for parking, with large areas of soft landscaping beyond. Within the garden area to the north of the site, is the Well House which is Grade II Listed in its own right. The southern and eastern boundaries of Croxley House are formed by mixed vegetation and an existing brick wall which is acknowledged to be in a poor state of repair. The main entrance to Croxley House is located within the northern elevation of the existing building, facing away from The Green and towards the existing garden. To the south of the building adjacent to The Green is an existing area of soft landscaping.
- 2.4 In 2014, planning permission was granted for the construction of a new care block within the walled garden which provides 40 bedrooms, with ensuite wet rooms, communal spaces and administrative and staff facilities. This permission was amended in 2016, with the new building known as Clarendon Lodge opening in January 2021. It is noted that the planning permissions for the site also included internal alterations to the Listed Building to allow it to continue operating as a care home. However, it is understood that the works were not undertaken due to viability concerns. In addition, an Inspection was made by the Care Quality Commission in December 2020, with the full inspection report being published in May 2021 which found that Croxley House was inadequate.
- 2.5 Croxley House is served by an existing vehicular access road, accessed from The Green. This access road is shared with the existing care home known as Clarendon Lodge, which is located to the west of the site and has its own separate parking area.

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission and Listed Building Consent for the conversion of existing building into 6no. (Use Class C3) residential units with associated bin/bike store, parking and landscaping works.
- 3.2 It is proposed convert the existing detached building into 6 residential units, which would effectively form a new terrace. Five of the six units would be two storey, whilst unit 6 would be located within the existing single storey element of the building. The conversion would provide 5 x 4 bedroom units and 1 x 3 bedroom unit.
- 3.3 In order to facilitate the proposed conversion, internal alterations would be made to the existing building. This would include the removal of existing internal partitions and the installation of new stair cases. With regards to external alterations, the plans indicate the

removal of the existing external metal star case located on the northern elevation of the building, and the removal of various metal railings around the building. In addition, the applicant has advised that some of the existing windows would be replaced, whilst windows identified to be 19th Century or earlier would be retained or repaired with secondary glazing installed.

- 3.4 The proposed development would also include alterations to the existing landscaping to the rear of the building in order to provide off street car parking provision. This would include the provision of 2 spaces per unit, with further provision for 3 visitor car parking bays.
- 3.5 The plans indicate the retention of the existing Listed Well House located to the rear of the site. The proposed cycle store would be located within one of the existing detached outbuildings to the rear of the site.
- 3.6 The front and rear amenity provision would not be subdivided and would be a communal garden space.
- 3.7 Amended plans have been received during the course of the application as follows:
- Removal of the existing external staircase and railings;
 - Removal of the proposed bin store with details to be secured via condition;
 - Further information in relation to trees provided, including how the proposed car parking area would be retained.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [No objection]

4.1.1.1 [First comment: No objection]

Croxley Green Parish Council supports the restoration of the building and use for housing. We request the officer ensures that access across the green will be legally possible and that all changes to the external elevations that will be necessary to doors, fenestration and to allow new heating and ventilation systems, along with measures to protect encroachment on to the green by vehicles are conditioned.

CGPC notes that this application relates to 5 dwellings is for a Class C2- Residential institutions, but doesn't specify how the residential unit is to be managed, it appears to be private dwellings, is Class C2 correct?

CGPC supports Affinity Waters comments regarding water supply stress

4.1.1.2 [Second comment: No objection]

In addition to Croxley Green Parish Councils previous comments, CGPC has concerns on there being insufficient parking for a development that is remote from the highway and without any safe on street parking.

Drawing 701 shows new sash windows with horns. The elevations show windows without horn which you would expect for a Georgian Building like this. We request that the Conservation Officer assures themselves that the window design is appropriate.

4.1.2 Conservation Officer: [No objection]

The application is for Listed Building Consent: Conversion of existing building into 6no. (Use Class C2) residential units with associated bin/bike store, parking and landscaping works.

Croxley House is a Grade II listed building (List Entry Number: 1348223) built in 1770 with nineteenth and twentieth century extensions. The Grade II Well House (List Entry Number: 1296183) is located within the immediate setting of Croxley House. The property is in the Croxley Green Conservation Area.

The significance is in its historic and architectural interest, although it is understood that much of the historic interior has been altered and partitioned during more recent uses. The building has been extended during the nineteenth and twentieth centuries.

The most recent use was as a care home until around 2021. The most recent application was for a change of use to a children's nursery with associated extensions and works under 23/0483/FUL and 23/0484/LBC, which was approved at Planning Committee subject to s.106 agreement.

The proposal is for conversion to six residential units, consisting of three- and four-bedroom dwellings. The main considerations in heritage terms are the principle of the change of use, the various internal and external alterations and alterations to the wider site.

The property was originally intended for residential use and has already been extensively partitioned and altered internally.

The proposal to convert the building to residential use is acceptable in principle in heritage terms, but this is subject to the other considerations, which will be assessed below:

Internal Alterations: The proposal would require internal alterations. Mostly modern partitioning associated with the previous care home use would be removed to form larger rooms. The present proposals would retain the historic ground floor front room. The removal of partitions would be beneficial in terms of the historic understanding of the building, although conversely sub-dividing the house into separate units would block some existing corridors and remove the historic unity of the building. However, overall, the internal alterations appear to be at the minimum level to enable this proposed residential use and there is no objection subject to material details which can be secured through a planning condition.

Windows: The submission proposed replacement of damaged and non-original windows and repair of older or original windows.

However, the submission has relied on a window condition survey related to an earlier application. Conditions may have changed since then and an up-to-date window condition survey is required.

The replacement of modern windows with slimline double-glazed sashes which attempt to replicate a traditional style are likely to be acceptable in principle. However, the replacement of later nineteenth or early twentieth century windows, even where they are not original is a concern as these windows may still have historic interest.

The use of single- and double-glazed windows on the same elevation can create an inconsistent appearance. In addition, proposed replacement windows have a 'horn' detail which is generally associated with later nineteenth century sash windows, while most of the existing windows are without this detail. Each window should be considered on its own basis, with justification provided for the appearance and style. These points should be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills.

These points should be addressed as part of an updated window condition survey. In addition, in relation to replacement of windows, please refer to pages 62 and 63 of Historic

England's Traditional Windows guidance which can be accessed here: <https://historicengland.org.uk/images-books/publications/traditional-windows-repair-upgrading/heag039-traditional-windows-revfeb17>

External Alterations: An existing steel staircase would be removed from the rear/northern elevation. Also, it is proposed that the existing uPVC rainwater goods are replaced with more appropriate cast metal equivalents. It is agreed that replacement rainwater goods should be cast metal, and the details should be secured through a condition.

Landscaping and Other Alterations: The proposed bin store would sit forward of the front building line. This would be harmful to the character of the building as it would be a prominent structure in the approach to the listed building. In addition, the location where it is shown is currently an area of raised ground adjacent to the retaining wall and it is not clear how this would operate in relation to existing ground levels.

It is understood that a larger bin store or several bin stores are required, but this is an inappropriate location. It is noted that in the previously permitted scheme the bins store sat to the side/rear of the building near currently proposed Parking Area 01 which would be more appropriate. The currently proposed bin store location is not supported in heritage terms.

There is no objection to the general landscaping scheme. The railings around Croxley House would be removed and this would be an enhancement.

However, it is noted that there is no separation of the outdoor amenity space for future residents. Retaining the openness of the outdoor areas is supported. However, it is possible that there may be future demand for separate gardens. The use of close-boarded fences etc would be harmful and not supported and any new fences or boundary treatments would require listed building consent.

In addition, it is noted that the boundary wall to the south is in a poor state of repair, this does not preserve the special interest of the listed building. The previously approved scheme included repair works to areas of the wall. There is an opportunity to improve the existing boundary wall which would be beneficial in heritage terms and is also a potential safety issue.

Due to the concerns in relation to the windows and the bin store, there is currently not sufficient information for the application to be determined positively, and these items should be amended, either as part of the current application or future applications.

Proposed Conditions

If officers are minded to approve the scheme, a condition in line with the below is required:

Internal Building Fabric

Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

Window Condition Survey and Replacement Windows

- a) Prior to commencement of any alterations to the windows, a window condition survey shall be submitted with details of the condition of all windows, details of any required

repairs and justification in relation to replacement of any existing windows. This shall be undertaken by an expert joiner or other suitably qualified professional.

- b) b) Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, timber and glazed link, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and shall be permanently maintained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

In addition, conditions which relate to the following issues should be attached:

- Approved plans
- Details of proposed new materials
- Details of all new rainwater goods- which are to be metal and painted black.
- Hard and soft landscaping material details
- Any external lighting must be approved by the LPA prior to installation.
- Relocation of the bin store to a more suitable location to the side or rear of the house.

The submission has not provided sufficient information in relation to the windows, and the proposed bin store is inappropriately located and for these reasons the proposal is not currently supported in heritage terms. This response has been made with regard to Sections 16(2), and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

4.1.3 Herts Highways: [No objection]

4.1.3.1 [First comment: No objection]

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) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at <https://www.gov.uk/common-land-village-greens>

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at <https://www.gov.uk/guidance/carrying-out-works-on-common-land> and on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx>

AN2) 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.

AN3) 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.

AN4) 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: Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate 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 The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 -Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience far fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

Trip generation: According to application information related to 23/0483/FUL 68 two-way trips were recorded per day in its previous use as a care home. The end result of six dwellings as proposed will be a decrease from this recorded number to potentially around 12 vehicle trips per day, leading to a significant decrease in the number of vehicles entering and exiting the site. Therefore no impact on the highway network is identified.

Parking: According to the development application form an existing 15 parking spaces will be retained. The Highway Authority finds the size and organisation (tandem parking) of the spaces acceptable.

The Local Planning Authority as also the Parking Enforcement Authority will need to be satisfied that the parking provision meets any district-wide standards.

Accessibility: The development site is located on the northern edge of Croxley Green and is approximately 1.8km from Croxley train station (walking route) and 1km from the nearest bus stop (Lancing Way). The development site lacks nearby sustainable travel options and the distance from transport hubs are unreasonable. However, considering the number of dwellings proposed, as well as the footpaths running from The Green into Croxley Green, providing an acceptable pedestrian link to the centre of town, it would be unreasonable to recommend refusal on this application for the above reason.

Surface water flood risk to the highway: The application form states that surface water will be disposed of via a sustainable drainage system. Considering the size, nature and location of the development, the Highway Authority has not identified an increased risk of surface water flooding occurring on the public highway.

Emergency vehicle access: Access for a fire tender will continue to be possible considering no changes to the access or external parts of the building are being proposed, therefore no concerns are identified.

Access for waste collection vehicles: The Highway Authority is of the belief that a waste collection vehicle would have entered the site to service both Croxley House and the neighboring Clarendon Lodge, and that this will continue. The HA would recommend the LPA refer this matter to their own Environmental Department to ensure this arrangement is indeed the case and continues to be 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.

4.1.3.2 [Second Comment: 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) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at <https://www.gov.uk/common-land-village-greens>

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at <https://www.gov.uk/guidance/carrying-out-works-on-common-land> and on the County Council's website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-andvillageapplications/common-land-and-town-and-village-green-applications.aspx>

AN2) 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-anddeveloper-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) 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.

AN4) 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

Notification of amendment: The Highway Authority has been notified of an amendment made to proposed plans on 14 January 2026. Amendments that affect the Highway Authority's previous response include the alteration of the parking arrangement for both residents of the dwellings and visitors, and a relocation of the bin storage area. Other amendments not relevant to the purview of the Highway Authority have been made. The Highway Authority's previous response will be recreated for sections of the application which have not been amended.

Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate 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 The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 - Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

4.1.4 Herts Fire and Rescue: [No objection]

From an access point of view HFRS have no concerns.

4.1.5 TRDC Property Services: [Objection]

As you will be aware of the Property Services Team's comments in connection with earlier application numbers: 23/0483/FUL & 23/0484/LBC, that the Council owns The Green, an area of registered Common Land adjoining the application site. Having reviewed the application, I am not sure why the applicant has not shown their intended access route to the application site on their plans ('redline'), and there is no reference to the access route within the Planning, Design & Heritage Statement? Section 6 of the Application Form suggests that the proposal will not require any new access, so I am left to deduce that the application assumes access over the track which crosses The Green?

At the time of writing the applicant has not been in contact with the Council regarding agreeing or formalising the rights over which the application may require access. At this stage, I would therefore register an objection to this application, pending further discussions with the applicant and current landowner owner of Croxley House/Clarendon Lodge.

Croxley Green Common is registered Common Land and belongs to Three Rivers District Council. The access track is specifically excluded from the Common Land register but is owned by TRDC – there is no agreement in place to reflect any increased traffic flows over the track, nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard in order to accommodate additional traffic.

Whilst I understand that Hertfordshire County Council's Highways Service has commented on the suitability of the proposal in proximity to their highway assets, they do not represent the views of TRDC as landowner and owner of the access track. We do have concerns regarding any additional traffic joining/leaving the section of highway known as 'The Green' at the acute, staggered crossroads junction with Sarratt Road/Loudwater Lane. Given the proximity to this junction, I would expect to see a detailed assessment on vehicle movements and a safety audit of regarding the proposals. I have witnessed how dangerous this junction is on numerous occasions, and I would have expected the Highways Service

to insist on some form of traffic calming measures to reduce the speed of motorists who often take the junction at speed.

4.1.6 Thames Water: [No objection]

Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

Should the details of the application change, we would welcome the opportunity to be re-consulted.

4.1.7 Affinity Water: [No objection]

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

Water quality: You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ2) corresponding to our Pumping Station (Batchworth and Tolpit's Lane). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction -guidance for consultants and contractors".

Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost

potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

4.1.8 Herts Ecology: [No objection]

4.1.8.1 Initial comment: [Objection]

Overall Recommendation:

Insufficient information to advise determination of the application.

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Summary of Advice:

- Further information / clarification with respect to bats is required. Further surveys may be required to determine the impacts.
- Evidence of the whether the de minimis exemption applies (i.e. confirmation of the amount of habitat that will be lost)

Documents reviewed:

- Amended Preliminary Ecological Appraisal and Bat Survey (Optimus Consulting, 20/10/2025)
- Amended Block Plan
- Appendix B: Bat Survey (Greengage Environmental Ltd, March 2023)

Comments:

Roosting Bats: The Preliminary Ecological Appraisal and Bat Survey report states that “Bat Emergence Surveys were undertaken at Croxley House during Summer 2025. No evidence of roosting bats was identified and therefore roosting bats are likely absent.” It was, however, noted during the 2025 surveys that foraging/commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building.

However, an emergence survey in September 2022 (Greengage Environmental, 2023) identified 7 common and soprano pipistrelle roosts across the building. Further roost characterisation surveys were recommended for the following season but these do not appear to have been undertaken. The 2022 surveys took place over two consecutive evenings. On the first evening 3 emergences were observed from the roof of Croxley House and on the second 14 emergences and 1 return were observed from 6 further locations.

This has not been mentioned in the 2025 report. It is unknown whether the ecologists undertaking the surveys in 2025 were aware of this

9 positions (8 surveyors & 1 night vision camera (NVA) were used in 2022 to cover the whole building whereas 3 surveyors (all with NVAs) were used in the 2025 surveys to focus on particular areas. Whilst a plan of the 2025 survey locations has not been provided, it would appear that several of the locations where emergences occurred would not have been covered in the 2025 surveys. This includes the eastern end of the building. The 2025 report noted the eastern loft of the main building could not be surveyed.

I am not satisfied that sufficient evidence has been provided that bats are likely absent.

The current proposed works are internal, therefore, any external roosts including transitory roosts are unlikely to be damaged or destroyed, however bats, if present, would potentially be disturbed by vibration, noise or potentially lighting during works. It is also unknown if any works (including wiring, heating etc) are proposed in loft spaces. The 2022 surveys and any potential impacts should be considered.

Additionally, the internal inspection is questionable. The 2025 report states the building inspection was undertaken by an “Assistant Ecologist experienced in assessment of buildings suitability for roosting bats and in training towards the Natural England Level 1 Class Licence and carried out in accordance with best practice Guidelines”.

This ecologist had only a year’s experience, was unlicensed and good practice guidelines state “an ecologist without a survey licence should not enter known roosts or sites where signs of bat presence (or possible bat presence) have been found. Even where no signs have been found, surveys of potential roost sites should be carried out by ecologists with a survey licence covering the relevant activities. This will ensure that the ecologist knows what to look for and where, in order to subsequently make a judgement on the suitability of a potential roost site for bats. Licensing authorities may reject survey information completed by non-licensed persons” (BCT, 2023)

The LPA needs to have confidence that enough information has been submitted to fully consider the impact of the development on bats and that a licence (if required) is likely to be granted.

The above issues need to be addressed and/or further surveys undertaken if required

Biodiversity Net Gain

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

(b) Developments falls Below the de minimis threshold:

- a. A development that does not impact a priority habitat and affects less than:
 - i. 25 square meters (5m by 5m) of on-site habitat.
 - ii. 5 meters of on-site linear habitats, such as hedgerows.

The amended Preliminary Ecological Appraisal states that no habitat will be lost, however, the amended block plan shows that small areas of modified grassland will be lost to extended car parking spaces and the bin store.

For the avoidance of doubt, a calculation of the amount of habitat lost should be provided.

4.1.8.2 Second comment: [Objection]

Summary of Advice:	
<p>"Insufficient information to determine application." The planning officer should either:</p> <ol style="list-style-type: none"> 1. Refuse the applicant or advise it is withdrawn or, 2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished. 	<p>Pre-determination</p> <ul style="list-style-type: none"> • Protected species - Bats • BNG – de minimis exemption <p>Determination</p> <ul style="list-style-type: none"> • Conditions and informatives - CEMP

Comments and recommended Conditions and Informatives:

Protected species

Bats: The updated ecological appraisal provides the requested information regarding the competence of the ecological surveyor. As the surveyor was acting as an accredited agent on behalf of a licenced ecologist, the submitted PRA and emergence surveys can be accepted.

However, in appendix C of the updated ecological appraisal, the ecologist has stated that they did not have access to the loft of a large part of the building and they want to revisit it to provide the adequate survey. As the works involve stripping out the internal features of the building, it is highly likely that any bat roosts in the loft would be destroyed. Therefore, further survey is required to identify whether any bats are present in this loft. Presence/absence surveys for protected species cannot be secured by condition but must be conducted and reported on prior to determination. Therefore, we advise that a PRA of the unchecked loft space should be conducted to determine whether bats will be affected by this development. PRAs have no timing constraints and therefore there are no reasons for this survey to have been delayed.

Other protected species: I support the recommendations for biodiversity enhancement in sections 5.5 – 5.8 of the ecological appraisal.

As the site is located next to a Local Wildlife Site, the ecological appraisal suggests creating a CEMP to minimise disturbance to wildlife on site. I agree with this recommendation and advise that this should be secured by condition.

BNG- Pre Determination

The habitat map and development plan in Appendix B of the ecological appraisal provided indicate that no priority habitats are to be lost due to this development, and 21m² of modified grassland will be lost. I see no reason to doubt this. Therefore, I advise that this development is exempt from biodiversity net gain as it falls below the de minimis threshold:

- (a) Developments falls Below the de minimis threshold:
 - a. A development that does not impact a priority habitat and affects less than:
 - i. 25 square meters (5m by 5m) of on-site habitat.
 - ii. 5 meters of on-site linear habitats, such as hedgerow

Conditions: Construction Environmental Management Plan (CEMP)

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.

- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

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

4.1.8.3 Third Comment: [No objection]

Summary of Advice:	
<p>Application can be determined with Conditions and Informatives listed</p>	<p>Pre-determination</p> <ul style="list-style-type: none"> • <u>Protected</u> species – No further surveys required – Non-Licensed Method Statement • <u>BNG</u> – De minimis exemption – less than 25m² habitat lost. <p>Determination</p> <ul style="list-style-type: none"> • <u>Conditions and informatives</u> – Previous comments regarding a CEMP stand; Non-Licensed Method Statement including Reasonable Avoidance Measures

Comments and recommended Conditions and Informatives:

Protected species: The updated Ecological Appraisal contains information regarding the loft space not covered by the previous report (loft D). The photo of this loft indicates that it is heavily cobwebbed and therefore unlikely to contain bats.

However, as bats have been recorded emerging from this building (September 2022), I advise that a non-licensed method statement should be provided including reasonable avoidance measures. I advise that this is secured by the following compliance condition.

Previous comments stand regarding the required submission of a CEMP by condition.

BNG- Pre Determination

Previous comments stand: this application qualifies for de minimis exemption from BNG.

Conditions and Informatives: The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

4.1.9 Council for British Archaeology: [Comment received]

Croxley House is a Grade II listed large Georgian building which was extended and altered in the nineteenth and twentieth centuries. It has historical, architectural, aesthetic and communal value in its historic fabric, legible age, design, location and former use.

The CBA note that permission has already been granted for the conversion of this building to residential use. We are pleased to note that the proposed subdivision does not attempt to include a large number of units, which would necessitate intensive subdivision and alteration. We consider it likely that residential use represents a viable future use to ensure the historic building's future.

The heritage statement provided with this application does not provide detailed information regarding the existing interior of the building, which would be altered as a result of these proposals (including alterations to internal walls and staircases). While some internal alterations are already likely to have taken place as a result of the former use as a care home, it is not clear whether the fabric to be altered has historical and architectural value.

The application is required under para. 207 of the NPPF to provide a level of detail which is 'sufficient to understand the potential impact of the proposal' on the significance of the heritage asset. Under para. 208, your local planning authority is required to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal' and 'take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'. If insufficient information has been provided to allow this, we recommend that a site visit is undertaken with your local conservation specialists or additional information is provided by the application to permit a full identification and assessment of the significant elements of the listed building.

[Officer Note: The Planning Officer and Conservation Officer have visited the site and are satisfied that there is sufficient information to assess the application in full]

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 46

4.2.2 No of responses received: None received.

4.2.3 Site Notice: Expiry 14.11.2025 Press Notice: Expiry 21.11.2025

(In respect of both applications.)

4.2.4 Summary of Responses: N.A

5 Reason for Delay

5.1 Extension of time agreed to allow submission of additional information.

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 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (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.

6.3 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, C1, CP3, CP4, CP9, CP10, CP11 and CP12.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1 is relevant.

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, DM9, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan (2025). Policy CA2 is relevant.

6.4 Other

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

The Croxley Green Conservation Area Appraisal.

7 **Planning Analysis**

7.1 Principle of Development.

- 7.1.1 The Core Strategy (adopted October 2011) sets out a Spatial Vision which states that, looking forward to 2026 and beyond, the District will remain a prosperous, safe and healthy place where people want and are able to live and work. The priorities for the future are amongst other things, to provide growth required to support local communities and provide for their needs in the most sustainable way possible, to improve access to housing and affordable housing and to recognise opportunities to improve and enhance the built, historic and natural environment wherever possible. In order to implement and deliver the Local Development Framework's Vision, Strategic Objectives have been identified which include; to balance the community's need for future homes and jobs by providing sufficient land to meet a range of local housing needs.
- 7.1.2 Policy CP2 (Housing Supply) of the Core Strategy states that providing sufficient housing to meet the needs of local communities in a sustainable way is one of the key challenges facing Three Rivers. It further states that, amongst other things, development in the District, needs to provide an adequate and continuous supply of housing, provide a range of types and sizes of homes to meet needs at an appropriate density; and address local affordability issues. Policy CP3 (Housing mix and density) sets out that the Council will require housing proposals to take into account the range of housing needs in terms of the size and types of dwellings as identified by the Strategic Housing Market Assessment and subsequent updates. This includes the provision of housing for the elderly, and supported and specialist housing which will be encouraged in suitable and sustainable locations.
- 7.1.3 Policy SA1 (Housing Site Allocations) of the Site Allocations LDD (adopted 2014) states that, in view of the need for new housing in Three Rivers, the benefits of building new homes in Three Rivers would be undermined if the stock of existing housing were to reduce. Therefore, the Council's starting point is to protect existing housing in the District. Furthermore, it is noted that the LPA cannot currently demonstrate a 5 year land housing supply.
- 7.1.4 The existing building historically provided an elderly person's care home accommodating 33 bed spaces. However, planning permission 14/2141/FUL for Croxley House's continued use as a care home resulted in alterations to the existing building and a reduction in the number of bed spaces within Croxley House itself to 24 beds. In addition, the permission included, the provision of a new 40 bed care home facility known as Clarendon Lodge being located immediately adjacent to the host building. This permission has been implemented and is therefore a material planning consideration. It is noted that Care Homes do contribute towards the District's housing stock and when applying the Council's conversion rate of 1.9 C2 bedrooms to 1 market dwelling, it would mean based on permission 14/2141/FUL, that the current proposal would result in the net loss of 7 residential dwellings (due to the existing dwelling continuing to provide 6 residential dwellings). In addition, it is acknowledged that there is a need for facilities such as care homes within the District. This is referred to in Policy H01 of the in the Croxley Green Neighbourhood Plan which states that housing proposals should consider the needs for priority groups, one of which is identified as the 'ageing population'. The proposed development would result in a net loss of housing, and elderly persons accommodation which would be contrary to Policies CP2 and CP3 of the Core Strategy (adopted October 2011) and Policy SA1 of the Site Allocations Document.
- 7.1.5 With regard to the loss of elderly persons accommodation, it is noted that Croxley House has remained vacant since January 2021. It is understood that Croxley House in its current form would not meet the required care standards and legislation. In addition, the last Inspection Report published by the Care Quality Commission in May 2021 (visit undertaken in December 2020) identified that the overall rating for the care home was inadequate. Officers have visited the site and have viewed the building internally. It has been observed that the corridors are narrow, that there is not level access with varying floor level changes throughout the building. Some of the rooms within the building are small, and do not have full ensuite facilities. As such, officers consider that the building as existing is not suitable

to facilitate its former use without extensive alterations. It is noted that prior to its closure, planning and Listed Building Consent were granted for works to the existing Listed Building to allow the building to meet modern standards. The works included the widening of existing corridors, the provision of level access and internal alterations to create rooms which met current care standards. However, the changes proposed resulted in a reduction in bedrooms from 33 to 24.

7.1.6 In November 2023, the Planning Committee resolved to grant planning permission and Listed Building Consent for a 122 place nursery. This change of use would have resulted in the loss of 13 residential units. The Officers report from the time noted that Policy SA1 (Housing Site Allocations) does allow for the net loss of housing where conversion to other uses is necessary to provide a small-scale facility and would not affect the surrounding residential area. In this case, it was considered that there was significant justification for the change of use to a nursery, given the identified need locally and the fact that the existing building was unable to accommodate its former use. Based on the specific circumstances at the time, officers considered *that 'using the existing building as a nursery would outweigh the loss of dwellings, and the lawful use of the site as a care home particularly given it is highly unlikely that the existing building would be used as a care home in the future'*. However, whilst there is a resolution to grant permission and Listed Building Consent, the LPA has been unable to issue the decision notices as the S106 has not been completed to date.

7.1.7 With regard to the current proposal, it is acknowledged that the proposed development would result in some loss of housing. However, an increased loss of units has been accepted in principle in relation to planning application 23/0483/FUL. It is also considered that given the current and significant need for housing within Three Rivers, that the retention of 6 residential units must be given significant weight in the decision making process, particularly taken into account the length of time that the existing building has been vacant. It is also again emphasised that the existing building is not suitable to accommodate its former use as a residential care home.

7.1.8 In summary, it is acknowledged that the proposed development would result in a net loss of housing, contrary to policy. However, given the significant need for housing in the District and taking into account the specific site circumstances, most notably the length of time that the existing building has been vacant for as well as the condition of the existing Listed building, that the principle of the development is acceptable, subject to the relevant material considerations outlined below.

7.2 Green Belt

7.2.1 The National Planning Policy Framework (NPPF) 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 Belt are their openness and their permanence. One of the purposes of including land within Green Belt is to safeguard the countryside from encroachment.

7.2.2 The NPPF identifies the five purposes of including land in Green Belts as:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns from merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

7.2.3 Paragraph 153 of the NPPF states 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. 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

7.2.4 Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- 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.*

7.2.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) is also relevant and states the following with regard to the reuse and conversion of buildings in the Green Belt:

The Council will only support applications for the re-use/conversion of buildings in the Green Belt where:

- i) the form, bulk and general design of the building is in keeping with the surroundings*
- ii) any proposal by way of alterations/extensions, parking/turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent*
- iii) the scale of the proposed use is not likely to have a detrimental effect on the locality(e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land)*
- iv) the building is suitable for reuse/conversion without extensive alteration, rebuilding and or extension*

v) *proposals do not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land.*

7.2.6 The existing detached building was most recently used as a care home, a residential use. The proposed development would retain the building as being residential use through its conversion to provide 6 separate residential dwellings. As such, the proposed development would be considered under exception paragraph 154 (h) (iv) of the NPPF. In this case, Croxley House is a mainly two storey detached building of permanent and substantial construction, and therefore its conversion is deemed to be appropriate within the Green Belt, and no objections are raised in principle.

7.2.7 With regard to Policy DM2 of the Development Management Policies LDD, the applicant is not proposing to undertake significant alterations or extensions to the existing building and thus the proposal would not increase the building's prominence in the landscape in this regard. The existing access arrangement via the vehicular track across The Green would remain unaltered, and the Highways Officer has noted that the proposed use would be less intense than its former use as a 24 bedroom care home. The proposal would provide a formal parking area, but this would largely be contained within the existing area utilised for parking and would not encroach significantly beyond this area. In order to ensure that this area is appropriately surfaced, a condition requiring a comprehensive landscaping scheme would be secured via a condition. With regard to amenity space provision, the existing front and gardens would be utilised communally and therefore there would be no requirement for fencing or other means of enclosure that may appear urbanising within the landscape.

7.2.8 It is acknowledged that the provision of six residential units may lead to some increased domestic paraphernalia within the site. However, given that the site contains a Listed Building, planning permission would be required for development within its curtilage including for the provision of any outbuildings.

7.2.9 In summary, the proposed building is of permanent and substantial construction and therefore is deemed suitable an appropriate form of development when considered against paragraph 154 (h) (iv) of the NPPF. It is not considered that the conversion would increase the prominence of the building within the landscape and acceptable access provision exists. Furthermore, this would be a less intense use than its former use as a Care Home. As such, the proposed development is considered to be acceptable and in accordance with Policy CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the provisions of the NPPF.

7.3 Character and Heritage Assets

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 The host building is a Grade II Listed Building and also located within the Croxley Green Conservation Area and as such Policy DM3 of the Development Management Policies LDD is relevant. With regard to Listed Buildings, it advises:

The Council will preserve the District's Listed Buildings and will only support applications where:

i) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting

ii) any change of use would preserve its character as a building of special architectural or historic interest and ensure its continued use/viability.

7.3.3 With regard to Conservation Areas, Policy DM3 of the Development Management Policies LDD, advises that development will only be permitted where:

i) is of a design and scale that preserves or enhances the character or appearance of the area

ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context

iii) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges

iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention

v) Does not harm important views into, out of or within the Conservation area

vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area

vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

7.3.4 The Croxley Green Conservation Area Appraisal is also relevant and sets out the following with regard to Croxley House

'Opposite Killingdown Farmhouse stands the grand grade II listed late eighteenth century Croxley House. This substantial red brick house has a powerful presence at the north end of Section C and the whole area. In the recent past, Croxley House has been extended using appropriate materials. However, the wall which surround the entire house and estate, being not only an integral part of the Conservation Area but also the curtilage of a Listed Building, has been allowed to deteriorate and decay and is now in an appalling condition.....

In the grounds of Croxley House stands an important Grade II listed well house, complete with its original winding gear. Opposite the well house, and possibly part of an original farm stands an unlisted barn with visible timber framing. This barn is sadly at risk, a portion of having already collapsed at the time of writing'.

7.3.5 The Croxley Green Neighbourhood Plan also refers to Croxley House as dominating the northern end of The Green. Policy CA2 of the Neighbourhood Plan is also relevant and advises that *'in the case of subdivision of a house into flats the impact of additional parking demand and the shared use of the garden must be considered as well as the social impact on the wider community of wide scale subdivision of dwellings'.*

7.3.6 As already noted, the existing building has most recently been used as Care Home, whereas the proposed development would see the building used to accommodate 6 separate dwellings. The Conservation Officer notes that the building was originally intended for residential use and consequently there is no objection in principle to this use. Furthermore, it is noted that the building has been vacant since 2021, since its former use as a Care Home ceased. Paragraph 210 of the NPPF sets out the following in considering applications relating to Heritage Assets:

In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.3.7 Officers have visited the building on a number of occasions since the closure of the Care Home and consider that the condition of the building has deteriorated both internally and externally. The proposed development would therefore secure a use and future for the Listed building and would ensure that it continues to contribute positively to the Conservation Area. In accordance with paragraph 210 of the NPPF, significant weight is afforded to the desirability of sustaining the significance of this Heritage Asset and allowing a use which would be consistent with its conservation. This therefore would weigh in favour of the proposed development.
- 7.3.8 The building would not be extended, with the footprint remaining unaltered, however, internal alterations would be required in order to facilitate the development. The existing building has already been extensively partitioned and altered internally with regard to its former use as a Care Home. The Conservation Officer has noted that the removal of this partitioning would be beneficial in terms of the historic understanding of the building, although the consultee comments also acknowledge that the subdivision in to six separate units would result in the blocking up of some of the corridors, thereby still removing some of the historic unity of the original building. However, the Conservation Officer considers that overall the internal alterations are at a minimum level to enable the proposed residential use, and as such there is no objection subject to a condition relating to material details.
- 7.3.9 There would also be external alterations to the building including the removal of an existing steel staircase to the north of the building. This is considered to be a feature which detracts from the appearance of the Listed Building and therefore its removal would be positive. The plans also indicate the removal of the existing UPVC rainwater goods, and their replacement with cast metal equivalents. This would more appropriate to the character and appearance of the Listed Building and the full details of this are able to be secured via a condition. In addition, the plans indicate that the railings around Croxley House, again associated with its former use would be removed. These are features which detract from the setting of the building and therefore their removal would be considered as an enhancement and no objections are raised.
- 7.3.10 The Conservation Officer noted that the submission proposes the replacement of damaged and non-original windows and the repair of older or original windows. However, the applicant provided a survey which was submitted in relation to an earlier application. This was considered to be insufficient as the condition of the windows may have changed since this time and therefore this survey is not considered to be relevant. As such, an up to date window condition survey is required and the Conservation Officer has advised that it would be appropriate to secure this via a condition.
- 7.3.11 The replacement of modern windows with slimline double-glazed sashes which replicate a traditional style are likely to be considered acceptable in principle. However, the Conservation Officer has emphasised that the replacement of later nineteenth century or early twentieth century windows raises concern as they may still be of historic interest. In addition, the proposed replacement window details indicate a 'horn' detail which is generally associated with later nineteenth century windows. The Conservation Officer has emphasised that each window should be considered on its own basis, with justification provided for the appearance and style. These points should therefore be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills. As noted above, the comments received from the Conservation Officer consider that a window condition survey can be secured via a condition, as can the specific details relating to replacement fenestration.

- 7.3.12 The original plans also indicated the provision of a new bin store which would sit forward of the front elevation of Croxley House. The Conservation Officer raised an objection, considering that this would be a prominent structure and its siting inappropriate, detracting from the character of the Listed Building, contrary to Policy DM3 of the Development Management Policies LDD. This therefore has been removed from the plans and it is considered that an appropriate siting and appearance can be secured via a planning condition.
- 7.3.13 With regard to landscaping alterations, the Conservation Officer has raised no objection to the car parking area which would remain as being located to the north of the building and largely in a similar siting to existing. As such, it is considered that this would preserve the character and appearance of the Listed Building and its wider setting. The Conservation Officer also notes that the existing amenity areas are not indicated to be subdivided to provide individual gardens which would ensure openness is retained. The consultee comments note that the use of close boarded fencing would be inappropriate to the setting of the historic building. Whilst a landscaping scheme has been provided which does give some detail of surfacing materials, given the nature of the building as a heritage asset, it is considered that a condition should be added which would require the materials to be viewed on site.
- 7.3.14 It is also acknowledged that the Conservation Officer has noted the boundary wall forward of Croxley House is in a poor state of repair. Works to the historic wall are not included as part of the current application, however, the applicant has advised that repair works will be dealt with under a separate application.
- 7.3.15 In summary and subject to conditions, it is considered that the redevelopment of the site for the provision of six residential dwellings would secure the long-term future of the Listed Building which should be given significant weight in the decision-making process. Furthermore, the proposed development would not require significant external alterations to the existing building which would ensure that its significance would be maintained and it would continue to be a positive feature within the Conservation Area. In addition, the external works including the removal of the existing external staircase and railings would be considered an enhancement. Whilst some internal alterations would be required which would include the blocking up of some of the existing internal corridors, the Conservation Officer has raised no objection. The development is therefore considered to be acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM3 of the Development Management Policies LDD.

7.4 Housing Mix

- 7.4.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1 bed	2 bed	3 bed	4+ bed
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%
Social/Affordable Rented	20%	32%	35%	12%

- 7.4.2 The proposed development would deliver 5 x 4 bedroom units, and 1 x 3 bedroom unit and as such would fail to be in accordance with the mix outlined above. However, taking into consideration the scale of the development, it is not considered that this would prejudice the ability of the Council to deliver housing targets. Furthermore, there is an identified need for 3 and 4 bedroom dwellings. As such, the proposed development is considered acceptable and in accordance with Policy CP3 of the Core Strategy (adopted October 2011).
- 7.5 Affordable Housing
- 7.5.1 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.
- 7.5.2 In this case, whilst the proposed development would deliver 6 residential dwellings, given the former use of the site as a care home, there would actually be a net loss of 7 residential dwellings.. As such, the proposed development would not be required to make any contribution towards the provision of affordable housing and thus no objections are made in this regard.
- 7.6 Impact on amenity of neighbours
- 7.6.1 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'
- 7.6.2 The nearest neighbour to the site, is located to the west and is the existing care home known as Clarendon House. Policy DM9 of the Development states that '*the Council will ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise-sensitive property such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments*'.
- 7.6.3 The proposed development would result in the conversion of the existing building to 6 separate residential units in Class C3 use. There would be no increase in footprint of the building, with external changes relating to replacement fenestration and repair/improvement works to the external fabric of the building. The changes to the external fabric of the building are such that they would not result in harm to residential amenity.
- 7.6.4 It is noted that the Unit 1 would be located in the element of the building set closest to the existing access road and Clarendon House. The existing fenestration detail to the flank elevation of Croxley House would be retained, and therefore there would be a number of windows serving bedrooms at first floor level. It is noted that some of Clarendon House's amenity provision is located in close proximity to the boundary with the access road, and as such there may be some degree of overlooking to this area of amenity space. Given this relationship and the fact these non-original windows are proposed to be replaced, it is considered reasonable for a condition to be added requiring that they would be obscure glazed to prevent any significant harm to the amenity.
- 7.6.5 The proposed access to the site would remain as existing, with no alterations proposed. It is considered that the conversion to 6 residential dwellings, would result in a less intense use of the access road than if the building were to be continued to be used as a care home. The proposed car parking is in a similar location to existing, and it is not considered that this would result in a loss of residential amenity to Clarendon Lodge.

- 7.6.6 With regard to amenity space provision, amenity space would be available to the front and rear of the existing building and it is noted that this would not be subdivided. Whilst there may be some noise as a result of its use, it is not considered that there would be an intensification of use of the site overall or that any noise would be significant so as to result in harm to justify refusal of the application.
- 7.6.7 In summary, it is not considered that any harm would occur to residential amenity and therefore the development is acceptable and in accordance with Policy CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.
- 7.7 Impact to Future Occupiers
- 7.7.1 Amenity space standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013) and require 84sqm for 3 bed dwellings and 105sqm for 4 bed dwellings. For individual dwellings, this would generally take the form of private gardens, with flats having communal garden spaces.
- 7.7.2 In this case, it is noted that the dwellings would not benefit from their own private amenity space provision, and the development would take the form of a communal garden space used by all of the dwellings. Based on the above standards, a total of 609 square metres would be required. In this case, the rear amenity space alone has an area exceeding 4000 square metres, thus there would be ample on site amenity provision for future occupiers. It is acknowledged that the provision of a communal garden would be unusual as the scheme is not a flat development. However, given the existing front and rear amenity space form part of the setting of the Listed Building, it would not be appropriate to subdivide it with fencing to provide individual spaces as this would be likely to cause some harm to the setting. As such, no objection is raised to the provision of a communal garden in this instance. Furthermore, it is considered there would be sufficient space available for all future occupiers, taking into consideration the areas of landscaping to the front, rear and sides of the existing building. As such, no objection is raised in this regard.
- 7.7.3 It is noted that the front and rear facing windows would have outlook across the front and rear amenity spaces. In particular, it is acknowledged that future occupiers may have outlook into the ground facing windows from communal spaces. However, given the size of the site overall, there is ample space available which would ensure that future occupiers would be unlikely to be passing immediately in front of the windows of neighbouring dwellings. Consequently, it is not considered that there would be any significant harm in this regard and as such no objection is raised.
- 7.8 Highways: Access
- 7.8.1 Policy CP10 of the Core Strategy relates to Transport and Travel and advises that development will need to demonstrate that it provides a safe and adequate means of access. In addition, it should make adequate provision for all users of the highway. Paragraph 111 of the NPPF is also relevant and states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residential cumulative impacts on the road network would be severe'
- 7.8.2 It is noted that TRDC Property Services have raised concerns relating to the development noting that there is no agreement in place to reflect any increased traffic flows over the track nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard to accommodate additional traffic flows. The Property Services Officer raises concerns regarding additional traffic flows at this junction and would have expected to see a detailed assessment or safety audit.
- 7.8.3 In response, Herts Highways have been consulted regarding the development and it is noted that no alterations to the existing access or access track across The Green are

proposed. The consultee comments from Herts Highways note that the existing private access road is not wide enough for two modern vehicles to pass one another without the need to potentially divert into the common land. However, the Highways Officer notes that there would be a decrease in vehicle intensity at the site in comparison to the former use of the site as a care home. Therefore, the access road would be used by fewer vehicles. Consequently, the existing access is considered acceptable to accommodate the proposed use of the site for six residential units. It would therefore be unreasonable to require an upgrade of the access track given it would be a less intensive use. Whilst the comments regarding highway safety raised by the Property Services Officer are acknowledged, the Highways Officer has not raised any safety concerns regarding the proposed development and as such it would not be reasonable to raise an objection on the grounds of highway safety.

7.8.4 It is also note that the Property Services Officer has noted that there has been no discussion with the applicant regarding agreeing or formalising the rights of access, this is not a material planning consideration and is a legal matter outside of the remit of the current applications. An informative has been added, reminding the applicant to contact TRDC Property Services in relation to the proposed development.

7.8.5 The Highways Officer also notes that access for a fire tender will continue to be possible considering that no alterations to the access or external parts of the proposal. Likewise a waste collection vehicle would have previously serviced Croxley House and this will continue. It is noted that a swept path analysis has been provided which demonstrates that access is suitable.

7.8.6 The proposed development is therefore acceptable and in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and thus no objections are raised in this regard.

7.9 Highways: Off street car parking

7.9.1 Policy DM13 and Appendix 5 of the Development Management Policies LDD sets out the requirements for off street car parking provision as follows:

3 bedroom dwelling: 2.25 spaces (2 assigned spaces)

4 or more bedrooms: 3 spaces (3 assigned spaces).

7.9.2 As such, this would equate to a requirement for the following:

5 x 3 = 15 spaces

1 x 2.25 = 2.25

Maximum requirement = 17.25 spaces.

7.9.3 The proposed block plan indicates a total of 15 car parking spaces to be provided to the rear of the site, mostly within the area which was previously utilised for car parking. The Highways Officer has confirmed that a swept path analysis has been submitted which indicates that it is possible for vehicles to manoeuvre out of each space and egress the site in a forward gear.

7.9.4 The spaces are annotated to indicate that each dwelling would benefit from two car parking spaces, with a further 3 spaces to be provided on site as visitor bays. As such, there would be a shortfall of 2.25 spaces against the maximum standard. However, it is acknowledged that the 5, 4 bedroom units would have a shortfall of one space per unit.

7.9.5 Croxley Green Parish Council have raised some concerns in respect of the shortfall in off street car parking provision. In response, whilst the shortfall is acknowledged, it is noted that all of the units would benefit from two off street car parking spaces, with a further 3 visitor car parking spaces available. With regards to location, Croxley House is located on

the northern edge of Croxley Green and is therefore outside of the settlement boundary with the Highways Officer noting that the site lacks sustainable transport options. However, the Highways Officer does note that there are footpaths running from The Green into Croxley Green providing an acceptable pedestrian link to local amenities. Given the edge of settlement location, officers consider that the site is suitable for residential development and that the limited shortfall in car parking provision would not result in significant demonstrable harm to justify refusal, particularly as all of the units would benefit from two spaces, with further visitor car parking available.

7.9.6 The submitted car parking management plan specifies that the EV charging points will be provided for each unit.

7.9.7 With regard to cycle parking, Appendix 5 of the Development Management Policies LDD sets out that one long term space should be provided per unit. The submitted block plan indicates that one of the existing outbuildings to the rear of the site would be used for cycle storage and this is considered acceptable.

7.9.8 In summary, whilst the shortfall in off street car parking is acknowledged, given the modest shortfall, that all dwellings would benefit from two car parking spaces, and taking into account the edge of settlement location, the development is considered acceptable and in accordance with Policy DM13 and Appendix 5 of the Development Management Policies LDD.

7.10 Landscaping

7.10.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states that 'development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997'.

7.10.2 The Landscape Officer was consulted and raised initial concerns regarding the development. The Landscape Officer noted that the submitted plans indicated that 15 car parking spaces would be provided to the rear of the building and would be located within the root protection areas of 2 protected trees (T19 and T20, Cedar). Whilst the submitted Arboricultural report indicated that the existing tarmac would be removed and replaced with a permeable 'no dig' surface, the Landscape Officer considered that it was unclear whether the parking spaces would be wholly on the existing tarmac, or whether the area of hardstanding would need to be extended over the Root Protection Areas to create the necessary parking. The Landscape Officer also noted that there was no indication as to how the car parking spaces would be contained to prevent any encroachment of cars, beyond the hardstanding, into the root protection areas of the trees. As such, further information was requested in order to confirm the impact on existing protected trees.

7.10.3 The applicant has provided additional information which provides a comparison of the existing and proposed car parking areas. In response, the Landscape Officer has advised that the plans demonstrate some additional incursion in to the Root Protection Areas of T19 and T20 but has confirmed that this would be acceptable in principle. However, in order to ensure that there would be no increased harm as a result of the development, a detailed hard and soft landscaping scheme including details of the new fencing to the rear of the car park areas and a tree protection scheme would be required. Whilst it is acknowledged that a landscaping plan has been provided, this is seen as indicative and it is considered that a more comprehensive version is required given the nature of the site and the heritage asset. In addition, a detailed method statement would be required in relation to the new surfacing and for arboricultural supervision of its installation. Consequently, subject to these suggested conditions, the proposed development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.11 Wildlife and Biodiversity

- 7.11.1 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.
- 7.11.2 Herts Ecology raised concerns in relation to the Preliminary Ecological Appraisal and Bat Report. This noted that there was no evidence of roosting bats, however foraging and commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building. Herts Ecology noted that there was a previous emergence report in September 2022 which identified 7 common and soprano pipistrelle roosts across the building, however, this was not mentioned in the 2025 report and it was unknown whether the ecologists in 2025 were aware of this. Herts Ecology raised concerns that several locations where emergences occurred in 2022, were not covered in the 2025 surveys including the eastern end of the building. Furthermore the 2025 report noted that the eastern end of the loft could not be surveyed. As such, the Ecology Officer confirmed that there were not satisfied that sufficient evidence had been provided to confirm that bats were absent. As such, it was considered that further information would be required in relation to impact on protected species.
- 7.11.3 In response, an updated Ecological Appraisal was provided and Herts Ecology were re-consulted. The Ecology Officer has considered the updated report and notes that Appendix C of the report states that the ecologist did not have access to the loft of a large part of the building and they wished to revisit to provide an adequate survey. The Ecology Officer sets out that the works to the building would involve stripping out the internal features of the building and thus it would be highly likely that any bat roosts in the loft would be destroyed. Consequently further surveys were required to identify whether or not any bats are present within the loft space.
- 7.11.4 In response, the applicant submitted an updated Ecological Appraisal which contains information regarding the loft space which has not been previously covered. The Ecology Officer notes that the report includes a photo of the loft space which indicates that it is heavily cobwebbed and therefore unlikely to contain bats. However, given that bats have been previously recorded emerging from the building (September 2022), a non licensed method statement should be provided which should include reasonable avoidance measures. This can be secured via a condition.
- 7.11.5 The comments received from Herts Ecology also note that the site is adjacent to a Local Wildlife Site and as such, a construction environmental management plan to minimise disturbance to wildlife on site would be required and this can be secured via a condition.
- 7.11.6 In summary, given the updated information received and subject to conditions, the development is considered in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

7.12 Mandatory Biodiversity Net gain.

- 7.12.1 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.
- 7.12.2 The initial comments received from Herts Ecology advised that further evidence was required to demonstrate whether the de minimis exemption would be applicable. Concerns were raised that the ecological report set out that no habitat would be lost, however, the

block plan indicated that small areas of modified grassland would be lost in order to provide for car parking provision. As such, it was requested that a calculation of the habitat lost should be provided.

- 7.12.3 In response, further information was submitted by the applicant which demonstrated that no priority habitats would be lost and in addition that 21m² of modified grassland would be lost. The Ecology Officer has been re-consulted and has confirmed that they consider that the development would be exempt from biodiversity net gain as it would fall below the de minimis threshold of 25m². As such, no objections are raised in this regard.

7.13 Sustainability

- 7.13.1 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. Policy 12 of the Sarratt Neighbourhood Plan sets out that 'development proposals are encouraged to achieve the highest standards of sustainability, decarbonisation and energy efficiency'.

- 7.13.2 An Energy Statement accompanies the application and details that the development would result in a 9% reduction in CO₂ emissions which would therefore exceed the policy requirements set out in Policy DM4 of the Development Management Policies LDD. The applicant has advised that this would be through measures including the provision of low energy lighting and the provision of integrated air source heat pumps. It is noted that details of the air source heat pumps have not been provided. Whilst it is understood that these would be provided internally, given this application relates to a Listed Building, full details would be required of their siting and appearance prior to their installation.

7.14 Summary

- 7.14.1 In conclusion, officers acknowledge that the conversion of Croxley House from its former use as a care home would result in the net loss of housing, which would be contrary to Policy. However, taking into consideration the specific site circumstances, most notably the length of time that the existing building has been vacant for, and that the proposed development would still secure the provision of 6 residential dwellings, the principle of development is considered acceptable. Likewise, it is considered that the proposed conversion would be an appropriate form of development within the Green Belt.

- 7.14.2 Furthermore, Croxley House is a Grade II Listed Building which is deteriorating in condition both externally and internally and has now been vacant for a number of years. The proposed development would secure a long term use for the building and would ensure appropriate repair works are undertaken. Securing the long term future of this designated Heritage Asset is afforded significant weight in the decision-making process.

- 7.14.3 Therefore, taking into account all relevant material considerations as outlined in the analysis above, the proposed development is considered to be acceptable and it is recommended that both full planning permission and Listed Building Consent are granted subject to conditions.

8 **RECOMMENDATION:**

8.1 That PLANNING PERMISSION 25/3146/FUL 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:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01,
0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,
, 0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

Reason: For the avoidance of doubt, in the proper interests of planning, the Metropolitan Green Belt and the character and appearance of the Listed Building and Conservation Area, in accordance with Policies CP1, CP3, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policy SA1 of the Site Allocations Document (adopted November 2014), Policies DM1, DM2, DM3, DM4, DM6, DM9, and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy CA2 of the Croxley Green Neighbourhood Plan (Referendum Version, 2018) and the Croxley Green Conservation Area Appraisal.

C3 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. In addition, the method statement shall include details relating to installation of the surfacing materials for the car park the new surfacing including details of arboricultural supervision of its installation.

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).

- C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

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.

All soft landscaping works required by the approved scheme shall be carried out 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).

The landscaping scheme shall include details of the proposed low level fence to the rear of the car parking area including details of its siting and appearance.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence 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)

- C5 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The development shall proceed in accordance with the approved CEMP.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C8 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C9 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C10 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset and to ensure that the development makes as full a contribution to sustainable development as possible in accordance with Policies CP1 and CP12 of the Core Strategy (adopted

October 2011) and Policies DM3 and DM4 of the Development Management Policies LDD (adopted July 2013).

- C11 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

- C12 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 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.

- C13 Before the first occupation of the development hereby permitted the window(s) in the first floor flank elevation facing Claredon Lodge; shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

- C14 The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C15 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C16 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the Heritage Asset, visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives 25/1346/FUL:

- 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@threeivers.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 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions and made amendments during the course of the application 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 applicant is reminded that prior to the commencement of works, approval will be required from the Council as a land owner of the existing access track across The Green. Please contact the Property Services Team to discuss further prior to any works taking place on 01923 776611 or by email to property@threerivers.gov.uk
- 15 Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at <https://www.gov.uk/common-land-village-greens>

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at <https://www.gov.uk/guidance/carrying-out-works-on-common-land> and on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx>
- 16 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> by telephoning 0300 1234047.

- 17 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.
- 18 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.
- 19 Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.
- 110 Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.
- 111 Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential Guidance' can be found on the National Grid website at www.nationalgrid.com or by contacting National Grid on 0800688588.

8.3 **RECOMMENDATION: That LISTED BUILDING CONSENT 25/1347/LBC 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: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- C2 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

- C3 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C4 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy and Policies DM3 of the Development Management Policies LDD (adopted July 2013).

- C8 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

8.4 Informatives 25/1347/LBC:

- 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@threeivers.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 development subject to this grant of Listed Building Consent must be carried out in accordance with the submitted documents including:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01,
0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,
0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

- 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.

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PLANNING COMMITTEE - 31 MARCH 2026

25/1346/FUL – Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works AT Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Minor Dwellings

25/1347/LBC – Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Listed Building Consent

Parish: Croxley Green

Ward: Dickinson

Expiry of Statutory Period: 03.04.2026

Case Officer: Claire Wilson

Recommendation: That Planning Permission 25/1346/FUL and Listed Building Consent 25/1347/LBC are granted.

Reason for consideration by the Committee: Planning application 25/1346/FUL has been called in to committee by three members of the planning committee for the following reasons:

- Construction within the Conservation Area
- Significant building in Croxley
- Access
- Local interest

Whilst Listed Building Consent application 25/1347/LBC has not been called into Planning Committee, it is considered appropriate for the applications to be considered together.

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

25/1346/FUL:

[25/1346/FUL | Conversion of existing building into 6no. \(Use Class C3\) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB](#)

25/1347/LBC:

[25/1347/LBC | Listed Building Consent: Conversion of existing building into 6no. \(Use Class C3\) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB](#)

1 Relevant Planning History

There is extensive planning history with the most recent as follows:

- 1.1 14/2141/FUL: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.
- 1.2 14/2142/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the

adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

- 1.3 16/0963/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.
- 1.4 16/0964/FUL: Variation of Condition 2 (Approved Plans) of planning permission 14/2141/FUL to allow alterations to the footprint and layout of the approved care home. Application permitted.
- 1.5 18/1738/LBC: Listed Building Consent: Reconstruction and repairs to boundary wall. Application permitted.
- 1.6 20/1868/FUL: Variation of Condition 2 (Approved Plans) and removal of Condition 6 (Panelling) pursuant to planning permission 16/0964/FUL to allow alterations to the approved layout to retain existing panelling. Application permitted.
- 1.7 20/1961/LBC: Listed Building Consent: Variation of Condition 2 (Approved Plans) and Condition 5 (Panelling) of Listed Building Consent 16/0963/LBC to allow alterations to the internal layout including alterations to the existing panelling. Application permitted.
- 1.8 20/2366/LBC: Listed Building Consent: Construction of an outbuilding. Application permitted.
- 1.9 20/2371/FUL: Construction of an outbuilding. Application permitted
- 1.10 23/0483/FUL: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant planning permission in November 2023 subject to the completion of a S106 agreement. To date this has not been completed.

- 1.11 23/0484/LBC: Listed Building Consent: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant Listed Building Consent in November 2023. However, to date Listed Building Consent has not been granted as this application has been kept open in order to ensure that the Listed Building Consent would be granted at the same time as the relevant FUL planning application above.

2 Description of Application Site

- 2.1 Croxley House is a Grade II Listed Building located within the Croxley Green Conservation Area and the Metropolitan Green Belt. The building was previously in use as a residential care home accommodating 33 rooms, however, it is noted that the building has remained vacant since January 2021.

- 2.2 Croxley House is a red brick, two storey building with a single storey projection to the east, set within a landscaped setting. It is noted that the building has been historically extended. The listing for the property describes it as:

Large house, now old people's home. c.1770, extended late C19 and C20. Red brick, once stuccoed. Shallow hipped slate roof. 9 bays, 1:2:3:2:1. 2 storeys. Garden front: central 3 bays project slightly with a full height bow window. 3 ground floor French windows. First floor glazing bar sashes with stone sills, all with gauged brick flat arched heads. Flanking bays have glazing bar sashes, 16 pane on first floor. Outer bays have blocked basement, plinth, glazing bar sashes and an oriel on the ground floor to right. Original end bays project slightly. Boxed eaves. Central axial and flanking cross axial stacks. Link to 3 bay C19 addition to right, porch to entrance with pilastered surround, corniced hood, sashes, roof hipped to right. 2 extruded stacks on right return. To left 4 bays, 2 phases of C20 additions. Entrance front: late C19 ground floor projection to central 3 bays. Entrance to left with keyed segmental head. Double sash to right with twisted colonnette mullion. Dentilled brick course below cornice. Outer bays set back, large stair window to left with Gothic glazing. Some 16 pane sashes to right. End bays project slightly. End stacks on main block. C19 block to left has a semi-circular bow, French windows, casements, dentilled brick eaves. Interior: moulded plaster ceiling, late C19 carved chimneypiece with caryatids. (VCH 1908: Pevsner 1977).

- 2.3 To the north of the building is an area of hardstanding used for parking, with large areas of soft landscaping beyond. Within the garden area to the north of the site, is the Well House which is Grade II Listed in its own right. The southern and eastern boundaries of Croxley House are formed by mixed vegetation and an existing brick wall which is acknowledged to be in a poor state of repair. The main entrance to Croxley House is located within the northern elevation of the existing building, facing away from The Green and towards the existing garden. To the south of the building adjacent to The Green is an existing area of soft landscaping.
- 2.4 In 2014, planning permission was granted for the construction of a new care block within the walled garden which provides 40 bedrooms, with ensuite wet rooms, communal spaces and administrative and staff facilities. This permission was amended in 2016, with the new building known as Clarendon Lodge opening in January 2021. It is noted that the planning permissions for the site also included internal alterations to the Listed Building to allow it to continue operating as a care home. However, it is understood that the works were not undertaken due to viability concerns. In addition, an Inspection was made by the Care Quality Commission in December 2020, with the full inspection report being published in May 2021 which found that Croxley House was inadequate.
- 2.5 Croxley House is served by an existing vehicular access road, accessed from The Green. This access road is shared with the existing care home known as Clarendon Lodge, which is located to the west of the site and has its own separate parking area.

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission and Listed Building Consent for the conversion of existing building into 6no. (Use Class C3) residential units with associated bin/bike store, parking and landscaping works.
- 3.2 It is proposed convert the existing detached building into 6 residential units, which would effectively form a new terrace. Five of the six units would be two storey, whilst unit 6 would be located within the existing single storey element of the building. The conversion would provide 5 x 4 bedroom units and 1 x 3 bedroom unit.
- 3.3 In order to facilitate the proposed conversion, internal alterations would be made to the existing building. This would include the removal of existing internal partitions and the installation of new stair cases. With regards to external alterations, the plans indicate the

removal of the existing external metal star case located on the northern elevation of the building, and the removal of various metal railings around the building. In addition, the applicant has advised that some of the existing windows would be replaced, whilst windows identified to be 19th Century or earlier would be retained or repaired with secondary glazing installed.

- 3.4 The proposed development would also include alterations to the existing landscaping to the rear of the building in order to provide off street car parking provision. This would include the provision of 2 spaces per unit, with further provision for 3 visitor car parking bays.
- 3.5 The plans indicate the retention of the existing Listed Well House located to the rear of the site. The proposed cycle store would be located within one of the existing detached outbuildings to the rear of the site.
- 3.6 The front and rear amenity provision would not be subdivided and would be a communal garden space.
- 3.7 Amended plans have been received during the course of the application as follows:
- Removal of the existing external staircase and railings;
 - Removal of the proposed bin store with details to be secured via condition;
 - Further information in relation to trees provided, including how the proposed car parking area would be retained.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [No objection]

4.1.1.1 [First comment: No objection]

Croxley Green Parish Council supports the restoration of the building and use for housing. We request the officer ensures that access across the green will be legally possible and that all changes to the external elevations that will be necessary to doors, fenestration and to allow new heating and ventilation systems, along with measures to protect encroachment on to the green by vehicles are conditioned.

CGPC notes that this application relates to 5 dwellings is for a Class C2- Residential institutions, but doesn't specify how the residential unit is to be managed, it appears to be private dwellings, is Class C2 correct?

CGPC supports Affinity Waters comments regarding water supply stress

4.1.1.2 [Second comment: No objection]

In addition to Croxley Green Parish Councils previous comments, CGPC has concerns on there being insufficient parking for a development that is remote from the highway and without any safe on street parking.

Drawing 701 shows new sash windows with horns. The elevations show windows without horn which you would expect for a Georgian Building like this. We request that the Conservation Officer assures themselves that the window design is appropriate.

4.1.2 Conservation Officer: [No objection]

The application is for Listed Building Consent: Conversion of existing building into 6no. (Use Class C2) residential units with associated bin/bike store, parking and landscaping works.

Croxley House is a Grade II listed building (List Entry Number: 1348223) built in 1770 with nineteenth and twentieth century extensions. The Grade II Well House (List Entry Number: 1296183) is located within the immediate setting of Croxley House. The property is in the Croxley Green Conservation Area.

The significance is in its historic and architectural interest, although it is understood that much of the historic interior has been altered and partitioned during more recent uses. The building has been extended during the nineteenth and twentieth centuries.

The most recent use was as a care home until around 2021. The most recent application was for a change of use to a children's nursery with associated extensions and works under 23/0483/FUL and 23/0484/LBC, which was approved at Planning Committee subject to s.106 agreement.

The proposal is for conversion to six residential units, consisting of three- and four-bedroom dwellings. The main considerations in heritage terms are the principle of the change of use, the various internal and external alterations and alterations to the wider site.

The property was originally intended for residential use and has already been extensively partitioned and altered internally.

The proposal to convert the building to residential use is acceptable in principle in heritage terms, but this is subject to the other considerations, which will be assessed below:

Internal Alterations: The proposal would require internal alterations. Mostly modern partitioning associated with the previous care home use would be removed to form larger rooms. The present proposals would retain the historic ground floor front room. The removal of partitions would be beneficial in terms of the historic understanding of the building, although conversely sub-dividing the house into separate units would block some existing corridors and remove the historic unity of the building. However, overall, the internal alterations appear to be at the minimum level to enable this proposed residential use and there is no objection subject to material details which can be secured through a planning condition.

Windows: The submission proposed replacement of damaged and non-original windows and repair of older or original windows.

However, the submission has relied on a window condition survey related to an earlier application. Conditions may have changed since then and an up-to-date window condition survey is required.

The replacement of modern windows with slimline double-glazed sashes which attempt to replicate a traditional style are likely to be acceptable in principle. However, the replacement of later nineteenth or early twentieth century windows, even where they are not original is a concern as these windows may still have historic interest.

The use of single- and double-glazed windows on the same elevation can create an inconsistent appearance. In addition, proposed replacement windows have a 'horn' detail which is generally associated with later nineteenth century sash windows, while most of the existing windows are without this detail. Each window should be considered on its own basis, with justification provided for the appearance and style. These points should be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills.

These points should be addressed as part of an updated window condition survey. In addition, in relation to replacement of windows, please refer to pages 62 and 63 of Historic

England's Traditional Windows guidance which can be accessed here: <https://historicengland.org.uk/images-books/publications/traditional-windows-repair-upgrading/heag039-traditional-windows-revfeb17>

External Alterations: An existing steel staircase would be removed from the rear/northern elevation. Also, it is proposed that the existing uPVC rainwater goods are replaced with more appropriate cast metal equivalents. It is agreed that replacement rainwater goods should be cast metal, and the details should be secured through a condition.

Landscaping and Other Alterations: The proposed bin store would sit forward of the front building line. This would be harmful to the character of the building as it would be a prominent structure in the approach to the listed building. In addition, the location where it is shown is currently an area of raised ground adjacent to the retaining wall and it is not clear how this would operate in relation to existing ground levels.

It is understood that a larger bin store or several bin stores are required, but this is an inappropriate location. It is noted that in the previously permitted scheme the bins store sat to the side/rear of the building near currently proposed Parking Area 01 which would be more appropriate. The currently proposed bin store location is not supported in heritage terms.

There is no objection to the general landscaping scheme. The railings around Croxley House would be removed and this would be an enhancement.

However, it is noted that there is no separation of the outdoor amenity space for future residents. Retaining the openness of the outdoor areas is supported. However, it is possible that there may be future demand for separate gardens. The use of close-boarded fences etc would be harmful and not supported and any new fences or boundary treatments would require listed building consent.

In addition, it is noted that the boundary wall to the south is in a poor state of repair, this does not preserve the special interest of the listed building. The previously approved scheme included repair works to areas of the wall. There is an opportunity to improve the existing boundary wall which would be beneficial in heritage terms and is also a potential safety issue.

Due to the concerns in relation to the windows and the bin store, there is currently not sufficient information for the application to be determined positively, and these items should be amended, either as part of the current application or future applications.

Proposed Conditions

If officers are minded to approve the scheme, a condition in line with the below is required:

Internal Building Fabric

Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

Window Condition Survey and Replacement Windows

- a) Prior to commencement of any alterations to the windows, a window condition survey shall be submitted with details of the condition of all windows, details of any required

repairs and justification in relation to replacement of any existing windows. This shall be undertaken by an expert joiner or other suitably qualified professional.

- b) b) Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, timber and glazed link, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and shall be permanently maintained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

In addition, conditions which relate to the following issues should be attached:

- Approved plans
- Details of proposed new materials
- Details of all new rainwater goods- which are to be metal and painted black.
- Hard and soft landscaping material details
- Any external lighting must be approved by the LPA prior to installation.
- Relocation of the bin store to a more suitable location to the side or rear of the house.

The submission has not provided sufficient information in relation to the windows, and the proposed bin store is inappropriately located and for these reasons the proposal is not currently supported in heritage terms. This response has been made with regard to Sections 16(2), and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

4.1.3 Herts Highways: [No objection]

4.1.3.1 [First comment: No objection]

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) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at <https://www.gov.uk/common-land-village-greens>

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at <https://www.gov.uk/guidance/carrying-out-works-on-common-land> and on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx>

AN2) 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.

AN3) 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.

AN4) 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: Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate 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 The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 -Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience far fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

Trip generation: According to application information related to 23/0483/FUL 68 two-way trips were recorded per day in its previous use as a care home. The end result of six dwellings as proposed will be a decrease from this recorded number to potentially around 12 vehicle trips per day, leading to a significant decrease in the number of vehicles entering and exiting the site. Therefore no impact on the highway network is identified.

Parking: According to the development application form an existing 15 parking spaces will be retained. The Highway Authority finds the size and organisation (tandem parking) of the spaces acceptable.

The Local Planning Authority as also the Parking Enforcement Authority will need to be satisfied that the parking provision meets any district-wide standards.

Accessibility: The development site is located on the northern edge of Croxley Green and is approximately 1.8km from Croxley train station (walking route) and 1km from the nearest bus stop (Lancing Way). The development site lacks nearby sustainable travel options and the distance from transport hubs are unreasonable. However, considering the number of dwellings proposed, as well as the footpaths running from The Green into Croxley Green, providing an acceptable pedestrian link to the centre of town, it would be unreasonable to recommend refusal on this application for the above reason.

Surface water flood risk to the highway: The application form states that surface water will be disposed of via a sustainable drainage system. Considering the size, nature and location of the development, the Highway Authority has not identified an increased risk of surface water flooding occurring on the public highway.

Emergency vehicle access: Access for a fire tender will continue to be possible considering no changes to the access or external parts of the building are being proposed, therefore no concerns are identified.

Access for waste collection vehicles: The Highway Authority is of the belief that a waste collection vehicle would have entered the site to service both Croxley House and the neighboring Clarendon Lodge, and that this will continue. The HA would recommend the LPA refer this matter to their own Environmental Department to ensure this arrangement is indeed the case and continues to be 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.

4.1.3.2 [Second Comment: 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) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at <https://www.gov.uk/common-land-village-greens>

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at <https://www.gov.uk/guidance/carrying-out-works-on-common-land> and on the County Council's website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx>

AN2) 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.

AN3) 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.

AN4) 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

Notification of amendment: The Highway Authority has been notified of an amendment made to proposed plans on 14 January 2026. Amendments that affect the Highway Authority's previous response include the alteration of the parking arrangement for both residents of the dwellings and visitors, and a relocation of the bin storage area. Other amendments not relevant to the purview of the Highway Authority have been made. The Highway Authority's previous response will be recreated for sections of the application which have not been amended.

Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate 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 The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 - Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

4.1.4 Herts Fire and Rescue: [No objection]

From an access point of view HFRS have no concerns.

4.1.5 TRDC Property Services: [Objection]

As you will be aware of the Property Services Team's comments in connection with earlier application numbers: 23/0483/FUL & 23/0484/LBC, that the Council owns The Green, an area of registered Common Land adjoining the application site. Having reviewed the application, I am not sure why the applicant has not shown their intended access route to the application site on their plans ('redline'), and there is no reference to the access route within the Planning, Design & Heritage Statement? Section 6 of the Application Form suggests that the proposal will not require any new access, so I am left to deduce that the application assumes access over the track which crosses The Green?

At the time of writing the applicant has not been in contact with the Council regarding agreeing or formalising the rights over which the application may require access. At this stage, I would therefore register an objection to this application, pending further discussions with the applicant and current landowner owner of Croxley House/Clarendon Lodge.

Croxley Green Common is registered Common Land and belongs to Three Rivers District Council. The access track is specifically excluded from the Common Land register but is owned by TRDC – there is no agreement in place to reflect any increased traffic flows over the track, nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard in order to accommodate additional traffic.

Whilst I understand that Hertfordshire County Council's Highways Service has commented on the suitability of the proposal in proximity to their highway assets, they do not represent the views of TRDC as landowner and owner of the access track. We do have concerns regarding any additional traffic joining/leaving the section of highway known as 'The Green' at the acute, staggered crossroads junction with Sarratt Road/Loudwater Lane. Given the proximity to this junction, I would expect to see a detailed assessment on vehicle movements and a safety audit of regarding the proposals. I have witnessed how dangerous this junction is on numerous occasions, and I would have expected the Highways Service

to insist on some form of traffic calming measures to reduce the speed of motorists who often take the junction at speed.

4.1.6 Thames Water: [No objection]

Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

Should the details of the application change, we would welcome the opportunity to be re-consulted.

4.1.7 Affinity Water: [No objection]

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

Water quality: You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ2) corresponding to our Pumping Station (Batchworth and Tolpit's Lane). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction -guidance for consultants and contractors".

Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost

potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

4.1.8 Herts Ecology: [No objection]

4.1.8.1 Initial comment: [Objection]

Overall Recommendation:

Insufficient information to advise determination of the application.

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Summary of Advice:

- Further information / clarification with respect to bats is required. Further surveys may be required to determine the impacts.
- Evidence of the whether the de minimis exemption applies (i.e. confirmation of the amount of habitat that will be lost)

Documents reviewed:

- Amended Preliminary Ecological Appraisal and Bat Survey (Optimus Consulting, 20/10/2025)
- Amended Block Plan
- Appendix B: Bat Survey (Greengage Environmental Ltd, March 2023)

Comments:

Roosting Bats: The Preliminary Ecological Appraisal and Bat Survey report states that “Bat Emergence Surveys were undertaken at Croxley House during Summer 2025. No evidence of roosting bats was identified and therefore roosting bats are likely absent.” It was, however, noted during the 2025 surveys that foraging/commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building.

However, an emergence survey in September 2022 (Greengage Environmental, 2023) identified 7 common and soprano pipistrelle roosts across the building. Further roost characterisation surveys were recommended for the following season but these do not appear to have been undertaken. The 2022 surveys took place over two consecutive evenings. On the first evening 3 emergences were observed from the roof of Croxley House and on the second 14 emergences and 1 return were observed from 6 further locations.

This has not been mentioned in the 2025 report. It is unknown whether the ecologists undertaking the surveys in 2025 were aware of this

9 positions (8 surveyors & 1 night vision camera (NVA) were used in 2022 to cover the whole building whereas 3 surveyors (all with NVAs) were used in the 2025 surveys to focus on particular areas. Whilst a plan of the 2025 survey locations has not been provided, it would appear that several of the locations where emergences occurred would not have been covered in the 2025 surveys. This includes the eastern end of the building. The 2025 report noted the eastern loft of the main building could not be surveyed.

I am not satisfied that sufficient evidence has been provided that bats are likely absent.

The current proposed works are internal, therefore, any external roosts including transitory roosts are unlikely to be damaged or destroyed, however bats, if present, would potentially be disturbed by vibration, noise or potentially lighting during works. It is also unknown if any works (including wiring, heating etc) are proposed in loft spaces. The 2022 surveys and any potential impacts should be considered.

Additionally, the internal inspection is questionable. The 2025 report states the building inspection was undertaken by an “Assistant Ecologist experienced in assessment of buildings suitability for roosting bats and in training towards the Natural England Level 1 Class Licence and carried out in accordance with best practice Guidelines”.

This ecologist had only a year’s experience, was unlicensed and good practice guidelines state “an ecologist without a survey licence should not enter known roosts or sites where signs of bat presence (or possible bat presence) have been found. Even where no signs have been found, surveys of potential roost sites should be carried out by ecologists with a survey licence covering the relevant activities. This will ensure that the ecologist knows what to look for and where, in order to subsequently make a judgement on the suitability of a potential roost site for bats. Licensing authorities may reject survey information completed by non-licensed persons” (BCT, 2023)

The LPA needs to have confidence that enough information has been submitted to fully consider the impact of the development on bats and that a licence (if required) is likely to be granted.

The above issues need to be addressed and/or further surveys undertaken if required

Biodiversity Net Gain

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

(b) Developments falls Below the de minimis threshold:

- a. A development that does not impact a priority habitat and affects less than:
 - i. 25 square meters (5m by 5m) of on-site habitat.
 - ii. 5 meters of on-site linear habitats, such as hedgerows.

The amended Preliminary Ecological Appraisal states that no habitat will be lost, however, the amended block plan shows that small areas of modified grassland will be lost to extended car parking spaces and the bin store.

For the avoidance of doubt, a calculation of the amount of habitat lost should be provided.

4.1.8.2 Second comment: [Objection]

Summary of Advice:	
<p>"Insufficient information to determine application." The planning officer should either:</p> <ol style="list-style-type: none"> 1. Refuse the applicant or advise it is withdrawn or, 2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished. 	<p>Pre-determination</p> <ul style="list-style-type: none"> • Protected species - Bats • BNG – de minimis exemption <p>Determination</p> <ul style="list-style-type: none"> • Conditions and informatives - CEMP

Comments and recommended Conditions and Informatives:

Protected species

Bats: The updated ecological appraisal provides the requested information regarding the competence of the ecological surveyor. As the surveyor was acting as an accredited agent on behalf of a licenced ecologist, the submitted PRA and emergence surveys can be accepted.

However, in appendix C of the updated ecological appraisal, the ecologist has stated that they did not have access to the loft of a large part of the building and they want to revisit it to provide the adequate survey. As the works involve stripping out the internal features of the building, it is highly likely that any bat roosts in the loft would be destroyed. Therefore, further survey is required to identify whether any bats are present in this loft. Presence/absence surveys for protected species cannot be secured by condition but must be conducted and reported on prior to determination. Therefore, we advise that a PRA of the unchecked loft space should be conducted to determine whether bats will be affected by this development. PRAs have no timing constraints and therefore there are no reasons for this survey to have been delayed.

Other protected species: I support the recommendations for biodiversity enhancement in sections 5.5 – 5.8 of the ecological appraisal.

As the site is located next to a Local Wildlife Site, the ecological appraisal suggests creating a CEMP to minimise disturbance to wildlife on site. I agree with this recommendation and advise that this should be secured by condition.

BNG- Pre Determination

The habitat map and development plan in Appendix B of the ecological appraisal provided indicate that no priority habitats are to be lost due to this development, and 21m² of modified grassland will be lost. I see no reason to doubt this. Therefore, I advise that this development is exempt from biodiversity net gain as it falls below the de minimis threshold:

- (a) Developments falls Below the de minimis threshold:
- a. A development that does not impact a priority habitat and affects less than:
 - i. 25 square meters (5m by 5m) of on-site habitat.
 - ii. 5 meters of on-site linear habitats, such as hedgerow

Conditions: Construction Environmental Management Plan (CEMP)

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.

- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

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

4.1.8.3 Third Comment: [No objection]

Summary of Advice:	
<p>Application can be determined with Conditions and Informatives listed</p>	<p>Pre-determination</p> <ul style="list-style-type: none"> • <u>Protected</u> species – No further surveys required – Non-Licensed Method Statement • <u>BNG</u> – De minimis exemption – less than 25m² habitat lost. <p>Determination</p> <ul style="list-style-type: none"> • <u>Conditions and informatives</u> – Previous comments regarding a CEMP stand; Non-Licensed Method Statement including Reasonable Avoidance Measures

Comments and recommended Conditions and Informatives:

Protected species: The updated Ecological Appraisal contains information regarding the loft space not covered by the previous report (loft D). The photo of this loft indicates that it is heavily cobwebbed and therefore unlikely to contain bats.

However, as bats have been recorded emerging from this building (September 2022), I advise that a non-licensed method statement should be provided including reasonable avoidance measures. I advise that this is secured by the following compliance condition.

Previous comments stand regarding the required submission of a CEMP by condition.

BNG- Pre Determination

Previous comments stand: this application qualifies for de minimis exemption from BNG.

Conditions and Informatives: The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

4.1.9 Council for British Archaeology: [Comment received]

Croxley House is a Grade II listed large Georgian building which was extended and altered in the nineteenth and twentieth centuries. It has historical, architectural, aesthetic and communal value in its historic fabric, legible age, design, location and former use.

The CBA note that permission has already been granted for the conversion of this building to residential use. We are pleased to note that the proposed subdivision does not attempt to include a large number of units, which would necessitate intensive subdivision and alteration. We consider it likely that residential use represents a viable future use to ensure the historic building's future.

The heritage statement provided with this application does not provide detailed information regarding the existing interior of the building, which would be altered as a result of these proposals (including alterations to internal walls and staircases). While some internal alterations are already likely to have taken place as a result of the former use as a care home, it is not clear whether the fabric to be altered has historical and architectural value.

The application is required under para. 207 of the NPPF to provide a level of detail which is 'sufficient to understand the potential impact of the proposal' on the significance of the heritage asset. Under para. 208, your local planning authority is required to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal' and 'take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'. If insufficient information has been provided to allow this, we recommend that a site visit is undertaken with your local conservation specialists or additional information is provided by the application to permit a full identification and assessment of the significant elements of the listed building.

[Officer Note: The Planning Officer and Conservation Officer have visited the site and are satisfied that there is sufficient information to assess the application in full]

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 46

4.2.2 No of responses received: None received.

4.2.3 Site Notice: Expiry 14.11.2025 Press Notice: Expiry 21.11.2025

(In respect of both applications.)

4.2.4 Summary of Responses: N.A

5 Reason for Delay

5.1 Extension of time agreed to allow submission of additional information.

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 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (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.

6.3 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, C1, CP3, CP4, CP9, CP10, CP11 and CP12.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1 is relevant.

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, DM9, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan (2025). Policy CA2 is relevant.

6.4 Other

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

The Croxley Green Conservation Area Appraisal.

7 **Planning Analysis**

7.1 Principle of Development.

- 7.1.1 The Core Strategy (adopted October 2011) sets out a Spatial Vision which states that, looking forward to 2026 and beyond, the District will remain a prosperous, safe and healthy place where people want and are able to live and work. The priorities for the future are amongst other things, to provide growth required to support local communities and provide for their needs in the most sustainable way possible, to improve access to housing and affordable housing and to recognise opportunities to improve and enhance the built, historic and natural environment wherever possible. In order to implement and deliver the Local Development Framework's Vision, Strategic Objectives have been identified which include; to balance the community's need for future homes and jobs by providing sufficient land to meet a range of local housing needs.
- 7.1.2 Policy CP2 (Housing Supply) of the Core Strategy states that providing sufficient housing to meet the needs of local communities in a sustainable way is one of the key challenges facing Three Rivers. It further states that, amongst other things, development in the District, needs to provide an adequate and continuous supply of housing, provide a range of types and sizes of homes to meet needs at an appropriate density; and address local affordability issues. Policy CP3 (Housing mix and density) sets out that the Council will require housing proposals to take into account the range of housing needs in terms of the size and types of dwellings as identified by the Strategic Housing Market Assessment and subsequent updates. This includes the provision of housing for the elderly, and supported and specialist housing which will be encouraged in suitable and sustainable locations.
- 7.1.3 Policy SA1 (Housing Site Allocations) of the Site Allocations LDD (adopted 2014) states that, in view of the need for new housing in Three Rivers, the benefits of building new homes in Three Rivers would be undermined if the stock of existing housing were to reduce. Therefore, the Council's starting point is to protect existing housing in the District. Furthermore, it is noted that the LPA cannot currently demonstrate a 5 year land housing supply.
- 7.1.4 The existing building historically provided an elderly person's care home accommodating 33 bed spaces. However, planning permission 14/2141/FUL for Croxley House's continued use as a care home resulted in alterations to the existing building and a reduction in the number of bed spaces within Croxley House itself to 24 beds. In addition, the permission included, the provision of a new 40 bed care home facility known as Clarendon Lodge being located immediately adjacent to the host building. This permission has been implemented and is therefore a material planning consideration. It is noted that Care Homes do contribute towards the District's housing stock and when applying the Council's conversion rate of 1.9 C2 bedrooms to 1 market dwelling, it would mean based on permission 14/2141/FUL, that the current proposal would result in the net loss of 7 residential dwellings (due to the existing dwelling continuing to provide 6 residential dwellings). In addition, it is acknowledged that there is a need for facilities such as care homes within the District. This is referred to in Policy H01 of the in the Croxley Green Neighbourhood Plan which states that housing proposals should consider the needs for priority groups, one of which is identified as the 'ageing population'. The proposed development would result in a net loss of housing, and elderly persons accommodation which would be contrary to Policies CP2 and CP3 of the Core Strategy (adopted October 2011) and Policy SA1 of the Site Allocations Document.
- 7.1.5 With regard to the loss of elderly persons accommodation, it is noted that Croxley House has remained vacant since January 2021. It is understood that Croxley House in its current form would not meet the required care standards and legislation. In addition, the last Inspection Report published by the Care Quality Commission in May 2021 (visit undertaken in December 2020) identified that the overall rating for the care home was inadequate. Officers have visited the site and have viewed the building internally. It has been observed that the corridors are narrow, that there is not level access with varying floor level changes throughout the building. Some of the rooms within the building are small, and do not have full ensuite facilities. As such, officers consider that the building as existing is not suitable

to facilitate its former use without extensive alterations. It is noted that prior to its closure, planning and Listed Building Consent were granted for works to the existing Listed Building to allow the building to meet modern standards. The works included the widening of existing corridors, the provision of level access and internal alterations to create rooms which met current care standards. However, the changes proposed resulted in a reduction in bedrooms from 33 to 24.

7.1.6 In November 2023, the Planning Committee resolved to grant planning permission and Listed Building Consent for a 122 place nursery. This change of use would have resulted in the loss of 13 residential units. The Officers report from the time noted that Policy SA1 (Housing Site Allocations) does allow for the net loss of housing where conversion to other uses is necessary to provide a small-scale facility and would not affect the surrounding residential area. In this case, it was considered that there was significant justification for the change of use to a nursery, given the identified need locally and the fact that the existing building was unable to accommodate its former use. Based on the specific circumstances at the time, officers considered *that 'using the existing building as a nursery would outweigh the loss of dwellings, and the lawful use of the site as a care home particularly given it is highly unlikely that the existing building would be used as a care home in the future'*. However, whilst there is a resolution to grant permission and Listed Building Consent, the LPA has been unable to issue the decision notices as the S106 has not been completed to date.

7.1.7 With regard to the current proposal, it is acknowledged that the proposed development would result in some loss of housing. However, an increased loss of units has been accepted in principle in relation to planning application 23/0483/FUL. It is also considered that given the current and significant need for housing within Three Rivers, that the retention of 6 residential units must be given significant weight in the decision making process, particularly taken into account the length of time that the existing building has been vacant. It is also again emphasised that the existing building is not suitable to accommodate its former use as a residential care home.

7.1.8 In summary, it is acknowledged that the proposed development would result in a net loss of housing, contrary to policy. However, given the significant need for housing in the District and taking into account the specific site circumstances, most notably the length of time that the existing building has been vacant for as well as the condition of the existing Listed building, that the principle of the development is acceptable, subject to the relevant material considerations outlined below.

7.2 Green Belt

7.2.1 The National Planning Policy Framework (NPPF) 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 Belt are their openness and their permanence. One of the purposes of including land within Green Belt is to safeguard the countryside from encroachment.

7.2.2 The NPPF identifies the five purposes of including land in Green Belts as:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns from merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

7.2.3 Paragraph 153 of the NPPF states 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. 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

7.2.4 Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- 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.*

7.2.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) is also relevant and states the following with regard to the reuse and conversion of buildings in the Green Belt:

The Council will only support applications for the re-use/conversion of buildings in the Green Belt where:

- i) the form, bulk and general design of the building is in keeping with the surroundings*
- ii) any proposal by way of alterations/extensions, parking/turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent*
- iii) the scale of the proposed use is not likely to have a detrimental effect on the locality(e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land)*
- iv) the building is suitable for reuse/conversion without extensive alteration, rebuilding and or extension*

- v) *proposals do not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land.*

- 7.2.6 The existing detached building was most recently used as a care home, a residential use. The proposed development would retain the building as being residential use through its conversion to provide 6 separate residential dwellings. As such, the proposed development would be considered under exception paragraph 154 (h) (iv) of the NPPF. In this case, Croxley House is a mainly two storey detached building of permanent and substantial construction, and therefore its conversion is deemed to be appropriate within the Green Belt, and no objections are raised in principle.
- 7.2.7 With regard to Policy DM2 of the Development Management Policies LDD, the applicant is not proposing to undertake significant alterations or extensions to the existing building and thus the proposal would not increase the building's prominence in the landscape in this regard. The existing access arrangement via the vehicular track across The Green would remain unaltered, and the Highways Officer has noted that the proposed use would be less intense than its former use as a 24 bedroom care home. The proposal would provide a formal parking area, but this would largely be contained within the existing area utilised for parking and would not encroach significantly beyond this area. In order to ensure that this area is appropriately surfaced, a condition requiring a comprehensive landscaping scheme would be secured via a condition. With regard to amenity space provision, the existing front and gardens would be utilised communally and therefore there would be no requirement for fencing or other means of enclosure that may appear urbanising within the landscape.
- 7.2.8 It is acknowledged that the provision of six residential units may lead to some increased domestic paraphernalia within the site. However, given that the site contains a Listed Building, planning permission would be required for development within its curtilage including for the provision of any outbuildings.
- 7.2.9 In summary, the proposed building is of permanent and substantial construction and therefore is deemed suitable an appropriate form of development when considered against paragraph 154 (h) (iv) of the NPPF. It is not considered that the conversion would increase the prominence of the building within the landscape and acceptable access provision exists. Furthermore, this would be a less intense use than its former use as a Care Home. As such, the proposed development is considered to be acceptable and in accordance with Policy CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the provisions of the NPPF.

7.3 Character and Heritage Assets

- 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 The host building is a Grade II Listed Building and also located within the Croxley Green Conservation Area and as such Policy DM3 of the Development Management Policies LDD is relevant. With regard to Listed Buildings, it advises:

The Council will preserve the District's Listed Buildings and will only support applications where:

i) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting

ii) any change of use would preserve its character as a building of special architectural or historic interest and ensure its continued use/viability.

7.3.3 With regard to Conservation Areas, Policy DM3 of the Development Management Policies LDD, advises that development will only be permitted where:

i) is of a design and scale that preserves or enhances the character or appearance of the area

ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context

iii) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges

iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention

v) Does not harm important views into, out of or within the Conservation area

vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area

vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

7.3.4 The Croxley Green Conservation Area Appraisal is also relevant and sets out the following with regard to Croxley House

'Opposite Killingdown Farmhouse stands the grand grade II listed late eighteenth century Croxley House. This substantial red brick house has a powerful presence at the north end of Section C and the whole area. In the recent past, Croxley House has been extended using appropriate materials. However, the wall which surround the entire house and estate, being not only an integral part of the Conservation Area but also the curtilage of a Listed Building, has been allowed to deteriorate and decay and is now in an appalling condition.....

In the grounds of Croxley House stands an important Grade II listed well house, complete with its original winding gear. Opposite the well house, and possibly part of an original farm stands an unlisted barn with visible timber framing. This barn is sadly at risk, a portion of having already collapsed at the time of writing'.

7.3.5 The Croxley Green Neighbourhood Plan also refers to Croxley House as dominating the northern end of The Green. Policy CA2 of the Neighbourhood Plan is also relevant and advises that *'in the case of subdivision of a house into flats the impact of additional parking demand and the shared use of the garden must be considered as well as the social impact on the wider community of wide scale subdivision of dwellings'.*

7.3.6 As already noted, the existing building has most recently been used as Care Home, whereas the proposed development would see the building used to accommodate 6 separate dwellings. The Conservation Officer notes that the building was originally intended for residential use and consequently there is no objection in principle to this use. Furthermore, it is noted that the building has been vacant since 2021, since its former use as a Care Home ceased. Paragraph 210 of the NPPF sets out the following in considering applications relating to Heritage Assets:

In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.3.7 Officers have visited the building on a number of occasions since the closure of the Care Home and consider that the condition of the building has deteriorated both internally and externally. The proposed development would therefore secure a use and future for the Listed building and would ensure that it continues to contribute positively to the Conservation Area. In accordance with paragraph 210 of the NPPF, significant weight is afforded to the desirability of sustaining the significance of this Heritage Asset and allowing a use which would be consistent with its conservation. This therefore would weigh in favour of the proposed development.
- 7.3.8 The building would not be extended, with the footprint remaining unaltered, however, internal alterations would be required in order to facilitate the development. The existing building has already been extensively partitioned and altered internally with regard to its former use as a Care Home. The Conservation Officer has noted that the removal of this partitioning would be beneficial in terms of the historic understanding of the building, although the consultee comments also acknowledge that the subdivision in to six separate units would result in the blocking up of some of the corridors, thereby still removing some of the historic unity of the original building. However, the Conservation Officer considers that overall the internal alterations are at a minimum level to enable the proposed residential use, and as such there is no objection subject to a condition relating to material details.
- 7.3.9 There would also be external alterations to the building including the removal of an existing steel staircase to the north of the building. This is considered to be a feature which detracts from the appearance of the Listed Building and therefore its removal would be positive. The plans also indicate the removal of the existing UPVC rainwater goods, and their replacement with cast metal equivalents. This would more appropriate to the character and appearance of the Listed Building and the full details of this are able to be secured via a condition. In addition, the plans indicate that the railings around Croxley House, again associated with its former use would be removed. These are features which detract from the setting of the building and therefore their removal would be considered as an enhancement and no objections are raised.
- 7.3.10 The Conservation Officer noted that the submission proposes the replacement of damaged and non-original windows and the repair of older or original windows. However, the applicant provided a survey which was submitted in relation to an earlier application. This was considered to be insufficient as the condition of the windows may have changed since this time and therefore this survey is not considered to be relevant. As such, an up to date window condition survey is required and the Conservation Officer has advised that it would be appropriate to secure this via a condition.
- 7.3.11 The replacement of modern windows with slimline double-glazed sashes which replicate a traditional style are likely to be considered acceptable in principle. However, the Conservation Officer has emphasised that the replacement of later nineteenth century or early twentieth century windows raises concern as they may still be of historic interest. In addition, the proposed replacement window details indicate a 'horn' detail which is generally associated with later nineteenth century windows. The Conservation Officer has emphasised that each window should be considered on its own basis, with justification provided for the appearance and style. These points should therefore be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills. As noted above, the comments received from the Conservation Officer consider that a window condition survey can be secured via a condition, as can the specific details relating to replacement fenestration.

- 7.3.12 The original plans also indicated the provision of a new bin store which would sit forward of the front elevation of Croxley House. The Conservation Officer raised an objection, considering that this would be a prominent structure and its siting inappropriate, detracting from the character of the Listed Building, contrary to Policy DM3 of the Development Management Policies LDD. This therefore has been removed from the plans and it is considered that an appropriate siting and appearance can be secured via a planning condition.
- 7.3.13 With regard to landscaping alterations, the Conservation Officer has raised no objection to the car parking area which would remain as being located to the north of the building and largely in a similar siting to existing. As such, it is considered that this would preserve the character and appearance of the Listed Building and its wider setting. The Conservation Officer also notes that the existing amenity areas are not indicated to be subdivided to provide individual gardens which would ensure openness is retained. The consultee comments note that the use of close boarded fencing would be inappropriate to the setting of the historic building. Whilst a landscaping scheme has been provided which does give some detail of surfacing materials, given the nature of the building as a heritage asset, it is considered that a condition should be added which would require the materials to be viewed on site.
- 7.3.14 It is also acknowledged that the Conservation Officer has noted the boundary wall forward of Croxley House is in a poor state of repair. Works to the historic wall are not included as part of the current application, however, the applicant has advised that repair works will be dealt with under a separate application.
- 7.3.15 In summary and subject to conditions, it is considered that the redevelopment of the site for the provision of six residential dwellings would secure the long-term future of the Listed Building which should be given significant weight in the decision-making process. Furthermore, the proposed development would not require significant external alterations to the existing building which would ensure that its significance would be maintained and it would continue to be a positive feature within the Conservation Area. In addition, the external works including the removal of the existing external staircase and railings would be considered an enhancement. Whilst some internal alterations would be required which would include the blocking up of some of the existing internal corridors, the Conservation Officer has raised no objection. The development is therefore considered to be acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM3 of the Development Management Policies LDD.

7.4 Housing Mix

- 7.4.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1 bed	2 bed	3 bed	4+ bed
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%
Social/Affordable Rented	20%	32%	35%	12%

- 7.4.2 The proposed development would deliver 5 x 4 bedroom units, and 1 x 3 bedroom unit and as such would fail to be in accordance with the mix outlined above. However, taking into consideration the scale of the development, it is not considered that this would prejudice the ability of the Council to deliver housing targets. Furthermore, there is an identified need for 3 and 4 bedroom dwellings. As such, the proposed development is considered acceptable and in accordance with Policy CP3 of the Core Strategy (adopted October 2011).
- 7.5 Affordable Housing
- 7.5.1 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.
- 7.5.2 In this case, whilst the proposed development would deliver 6 residential dwellings, given the former use of the site as a care home, there would actually be a net loss of 7 residential dwellings.. As such, the proposed development would not be required to make any contribution towards the provision of affordable housing and thus no objections are made in this regard.
- 7.6 Impact on amenity of neighbours
- 7.6.1 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'
- 7.6.2 The nearest neighbour to the site, is located to the west and is the existing care home known as Clarendon House. Policy DM9 of the Development states that '*the Council will ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise-sensitive property such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments*'.
- 7.6.3 The proposed development would result in the conversion of the existing building to 6 separate residential units in Class C3 use. There would be no increase in footprint of the building, with external changes relating to replacement fenestration and repair/improvement works to the external fabric of the building. The changes to the external fabric of the building are such that they would not result in harm to residential amenity.
- 7.6.4 It is noted that the Unit 1 would be located in the element of the building set closest to the existing access road and Clarendon House. The existing fenestration detail to the flank elevation of Croxley House would be retained, and therefore there would be a number of windows serving bedrooms at first floor level. It is noted that some of Clarendon House's amenity provision is located in close proximity to the boundary with the access road, and as such there may be some degree of overlooking to this area of amenity space. Given this relationship and the fact these non-original windows are proposed to be replaced, it is considered reasonable for a condition to be added requiring that they would be obscure glazed to prevent any significant harm to the amenity.
- 7.6.5 The proposed access to the site would remain as existing, with no alterations proposed. It is considered that the conversion to 6 residential dwellings, would result in a less intense use of the access road than if the building were to be continued to be used as a care home. The proposed car parking is in a similar location to existing, and it is not considered that this would result in a loss of residential amenity to Clarendon Lodge.

- 7.6.6 With regard to amenity space provision, amenity space would be available to the front and rear of the existing building and it is noted that this would not be subdivided. Whilst there may be some noise as a result of its use, it is not considered that there would be an intensification of use of the site overall or that any noise would be significant so as to result in harm to justify refusal of the application.
- 7.6.7 In summary, it is not considered that any harm would occur to residential amenity and therefore the development is acceptable and in accordance with Policy CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.
- 7.7 Impact to Future Occupiers
- 7.7.1 Amenity space standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013) and require 84sqm for 3 bed dwellings and 105sqm for 4 bed dwellings. For individual dwellings, this would generally take the form of private gardens, with flats having communal garden spaces.
- 7.7.2 In this case, it is noted that the dwellings would not benefit from their own private amenity space provision, and the development would take the form of a communal garden space used by all of the dwellings. Based on the above standards, a total of 609 square metres would be required. In this case, the rear amenity space alone has an area exceeding 4000 square metres, thus there would be ample on site amenity provision for future occupiers. It is acknowledged that the provision of a communal garden would be unusual as the scheme is not a flat development. However, given the existing front and rear amenity space form part of the setting of the Listed Building, it would not be appropriate to subdivide it with fencing to provide individual spaces as this would be likely to cause some harm to the setting. As such, no objection is raised to the provision of a communal garden in this instance. Furthermore, it is considered there would be sufficient space available for all future occupiers, taking into consideration the areas of landscaping to the front, rear and sides of the existing building. As such, no objection is raised in this regard.
- 7.7.3 It is noted that the front and rear facing windows would have outlook across the front and rear amenity spaces. In particular, it is acknowledged that future occupiers may have outlook into the ground facing windows from communal spaces. However, given the size of the site overall, there is ample space available which would ensure that future occupiers would be unlikely to be passing immediately in front of the windows of neighbouring dwellings. Consequently, it is not considered that there would be any significant harm in this regard and as such no objection is raised.
- 7.8 Highways: Access
- 7.8.1 Policy CP10 of the Core Strategy relates to Transport and Travel and advises that development will need to demonstrate that it provides a safe and adequate means of access. In addition, it should make adequate provision for all users of the highway. Paragraph 111 of the NPPF is also relevant and states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residential cumulative impacts on the road network would be severe'
- 7.8.2 It is noted that TRDC Property Services have raised concerns relating to the development noting that there is no agreement in place to reflect any increased traffic flows over the track nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard to accommodate additional traffic flows. The Property Services Officer raises concerns regarding additional traffic flows at this junction and would have expected to see a detailed assessment or safety audit.
- 7.8.3 In response, Herts Highways have been consulted regarding the development and it is noted that no alterations to the existing access or access track across The Green are

proposed. The consultee comments from Herts Highways note that the existing private access road is not wide enough for two modern vehicles to pass one another without the need to potentially divert into the common land. However, the Highways Officer notes that there would be a decrease in vehicle intensity at the site in comparison to the former use of the site as a care home. Therefore, the access road would be used by fewer vehicles. Consequently, the existing access is considered acceptable to accommodate the proposed use of the site for six residential units. It would therefore be unreasonable to require an upgrade of the access track given it would be a less intensive use. Whilst the comments regarding highway safety raised by the Property Services Officer are acknowledged, the Highways Officer has not raised any safety concerns regarding the proposed development and as such it would not be reasonable to raise an objection on the grounds of highway safety.

7.8.4 It is also note that the Property Services Officer has noted that there has been no discussion with the applicant regarding agreeing or formalising the rights of access, this is not a material planning consideration and is a legal matter outside of the remit of the current applications. An informative has been added, reminding the applicant to contact TRDC Property Services in relation to the proposed development.

7.8.5 The Highways Officer also notes that access for a fire tender will continue to be possible considering that no alterations to the access or external parts of the proposal. Likewise a waste collection vehicle would have previously serviced Croxley House and this will continue. It is noted that a swept path analysis has been provided which demonstrates that access is suitable.

7.8.6 The proposed development is therefore acceptable and in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and thus no objections are raised in this regard.

7.9 Highways: Off street car parking

7.9.1 Policy DM13 and Appendix 5 of the Development Management Policies LDD sets out the requirements for off street car parking provision as follows:

3 bedroom dwelling: 2.25 spaces (2 assigned spaces)

4 or more bedrooms: 3 spaces (3 assigned spaces).

7.9.2 As such, this would equate to a requirement for the following:

5 x 3 = 15 spaces

1 x 2.25 = 2.25

Maximum requirement = 17.25 spaces.

7.9.3 The proposed block plan indicates a total of 15 car parking spaces to be provided to the rear of the site, mostly within the area which was previously utilised for car parking. The Highways Officer has confirmed that a swept path analysis has been submitted which indicates that it is possible for vehicles to manoeuvre out of each space and egress the site in a forward gear.

7.9.4 The spaces are annotated to indicate that each dwelling would benefit from two car parking spaces, with a further 3 spaces to be provided on site as visitor bays. As such, there would be a shortfall of 2.25 spaces against the maximum standard. However, it is acknowledged that the 5, 4 bedroom units would have a shortfall of one space per unit.

7.9.5 Croxley Green Parish Council have raised some concerns in respect of the shortfall in off street car parking provision. In response, whilst the shortfall is acknowledged, it is noted that all of the units would benefit from two off street car parking spaces, with a further 3 visitor car parking spaces available. With regards to location, Croxley House is located on

the northern edge of Croxley Green and is therefore outside of the settlement boundary with the Highways Officer noting that the site lacks sustainable transport options. However, the Highways Officer does note that there are footpaths running from The Green into Croxley Green providing an acceptable pedestrian link to local amenities. Given the edge of settlement location, officers consider that the site is suitable for residential development and that the limited shortfall in car parking provision would not result in significant demonstrable harm to justify refusal, particularly as all of the units would benefit from two spaces, with further visitor car parking available.

- 7.9.6 The submitted car parking management plan specifies that the EV charging points will be provided for each unit.
- 7.9.7 With regard to cycle parking, Appendix 5 of the Development Management Policies LDD sets out that one long term space should be provided per unit. The submitted block plan indicates that one of the existing outbuildings to the rear of the site would be used for cycle storage and this is considered acceptable.
- 7.9.8 In summary, whilst the shortfall in off street car parking is acknowledged, given the modest shortfall, that all dwellings would benefit from two car parking spaces, and taking into account the edge of settlement location, the development is considered acceptable and in accordance with Policy DM13 and Appendix 5 of the Development Management Policies LDD.
- 7.10 Landscaping
- 7.10.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states that 'development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997'.
- 7.10.2 The Landscape Officer was consulted and raised initial concerns regarding the development. The Landscape Officer noted that the submitted plans indicated that 15 car parking spaces would be provided to the rear of the building and would be located within the root protection areas of 2 protected trees (T19 and T20, Cedar). Whilst the submitted Arboricultural report indicated that the existing tarmac would be removed and replaced with a permeable 'no dig' surface, the Landscape Officer considered that it was unclear whether the parking spaces would be wholly on the existing tarmac, or whether the area of hardstanding would need to be extended over the Root Protection Areas to create the necessary parking. The Landscape Officer also noted that there was no indication as to how the car parking spaces would be contained to prevent any encroachment of cars, beyond the hardstanding, into the root protection areas of the trees. As such, further information was requested in order to confirm the impact on existing protected trees.
- 7.10.3 The applicant has provided additional information which provides a comparison of the existing and proposed car parking areas. In response, the Landscape Officer has advised that the plans demonstrate some additional incursion in to the Root Protection Areas of T19 and T20 but has confirmed that this would be acceptable in principle. However, in order to ensure that there would be no increased harm as a result of the development, a detailed hard and soft landscaping scheme including details of the new fencing to the rear of the car park areas and a tree protection scheme would be required. Whilst it is acknowledged that a landscaping plan has been provided, this is seen as indicative and it is considered that a more comprehensive version is required given the nature of the site and the heritage asset. In addition, a detailed method statement would be required in relation to the new surfacing and for arboricultural supervision of its installation. Consequently, subject to these suggested conditions, the proposed development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.11 Wildlife and Biodiversity

- 7.11.1 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.
- 7.11.2 Herts Ecology raised concerns in relation to the Preliminary Ecological Appraisal and Bat Report. This noted that there was no evidence of roosting bats, however foraging and commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building. Herts Ecology noted that there was a previous emergence report in September 2022 which identified 7 common and soprano pipistrelle roosts across the building, however, this was not mentioned in the 2025 report and it was unknown whether the ecologists in 2025 were aware of this. Herts Ecology raised concerns that several locations where emergences occurred in 2022, were not covered in the 2025 surveys including the eastern end of the building. Furthermore the 2025 report noted that the eastern end of the loft could not be surveyed. As such, the Ecology Officer confirmed that there were not satisfied that sufficient evidence had been provided to confirm that bats were absent. As such, it was considered that further information would be required in relation to impact on protected species.
- 7.11.3 In response, an updated Ecological Appraisal was provided and Herts Ecology were re-consulted. The Ecology Officer has considered the updated report and notes that Appendix C of the report states that the ecologist did not have access to the loft of a large part of the building and they wished to revisit to provide an adequate survey. The Ecology Officer sets out that the works to the building would involve stripping out the internal features of the building and thus it would be highly likely that any bat roosts in the loft would be destroyed. Consequently further surveys were required to identify whether or not any bats are present within the loft space.
- 7.11.4 In response, the applicant submitted an updated Ecological Appraisal which contains information regarding the loft space which has not been previously covered. The Ecology Officer notes that the report includes a photo of the loft space which indicates that it is heavily cobwebbed and therefore unlikely to contain bats. However, given that bats have been previously recorded emerging from the building (September 2022), a non licensed method statement should be provided which should include reasonable avoidance measures. This can be secured via a condition.
- 7.11.5 The comments received from Herts Ecology also note that the site is adjacent to a Local Wildlife Site and as such, a construction environmental management plan to minimise disturbance to wildlife on site would be required and this can be secured via a condition.
- 7.11.6 In summary, given the updated information received and subject to conditions, the development is considered in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

7.12 Mandatory Biodiversity Net gain.

- 7.12.1 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.
- 7.12.2 The initial comments received from Herts Ecology advised that further evidence was required to demonstrate whether the de minimis exemption would be applicable. Concerns were raised that the ecological report set out that no habitat would be lost, however, the

block plan indicated that small areas of modified grassland would be lost in order to provide for car parking provision. As such, it was requested that a calculation of the habitat lost should be provided.

- 7.12.3 In response, further information was submitted by the applicant which demonstrated that no priority habitats would be lost and in addition that 21m² of modified grassland would be lost. The Ecology Officer has been re-consulted and has confirmed that they consider that the development would be exempt from biodiversity net gain as it would fall below the de minimis threshold of 25m². As such, no objections are raised in this regard.

7.13 Sustainability

- 7.13.1 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. Policy 12 of the Sarratt Neighbourhood Plan sets out that 'development proposals are encouraged to achieve the highest standards of sustainability, decarbonisation and energy efficiency'.

- 7.13.2 An Energy Statement accompanies the application and details that the development would result in a 9% reduction in CO₂ emissions which would therefore exceed the policy requirements set out in Policy DM4 of the Development Management Policies LDD. The applicant has advised that this would be through measures including the provision of low energy lighting and the provision of integrated air source heat pumps. It is noted that details of the air source heat pumps have not been provided. Whilst it is understood that these would be provided internally, given this application relates to a Listed Building, full details would be required of their siting and appearance prior to their installation.

7.14 Summary

- 7.14.1 In conclusion, officers acknowledge that the conversion of Croxley House from its former use as a care home would result in the net loss of housing, which would be contrary to Policy. However, taking into consideration the specific site circumstances, most notably the length of time that the existing building has been vacant for, and that the proposed development would still secure the provision of 6 residential dwellings, the principle of development is considered acceptable. Likewise, it is considered that the proposed conversion would be an appropriate form of development within the Green Belt.
- 7.14.2 Furthermore, Croxley House is a Grade II Listed Building which is deteriorating in condition both externally and internally and has now been vacant for a number of years. The proposed development would secure a long term use for the building and would ensure appropriate repair works are undertaken. Securing the long term future of this designated Heritage Asset is afforded significant weight in the decision-making process.
- 7.14.3 Therefore, taking into account all relevant material considerations as outlined in the analysis above, the proposed development is considered to be acceptable and it is recommended that both full planning permission and Listed Building Consent are granted subject to conditions.

8 **RECOMMENDATION:**

8.1 That PLANNING PERMISSION 25/3146/FUL 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:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01,
0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,
, 0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

Reason: For the avoidance of doubt, in the proper interests of planning, the Metropolitan Green Belt and the character and appearance of the Listed Building and Conservation Area, in accordance with Policies CP1, CP3, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policy SA1 of the Site Allocations Document (adopted November 2014), Policies DM1, DM2, DM3, DM4, DM6, DM9, and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy CA2 of the Croxley Green Neighbourhood Plan (Referendum Version, 2018) and the Croxley Green Conservation Area Appraisal.

C3 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. In addition, the method statement shall include details relating to installation of the surfacing materials for the car park the new surfacing including details of arboricultural supervision of its installation.

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).

- C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

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.

All soft landscaping works required by the approved scheme shall be carried out 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).

The landscaping scheme shall include details of the proposed low level fence to the rear of the car parking area including details of its siting and appearance.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence 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)

- C5 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of 'biodiversity protection zones'

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timings of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The development shall proceed in accordance with the approved CEMP.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C8 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C9 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C10 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset and to ensure that the development makes as full a contribution to sustainable development as possible in accordance with Policies CP1 and CP12 of the Core Strategy (adopted

October 2011) and Policies DM3 and DM4 of the Development Management Policies LDD (adopted July 2013).

- C11 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

- C12 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 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.

- C13 Before the first occupation of the development hereby permitted the window(s) in the first floor flank elevation facing Claredon Lodge; shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

- C14 The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C15 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C16 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the Heritage Asset, visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives 25/1346/FUL:

- 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@threeivers.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 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions and made amendments during the course of the application 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 applicant is reminded that prior to the commencement of works, approval will be required from the Council as a land owner of the existing access track across The Green. Please contact the Property Services Team to discuss further prior to any works taking place on 01923 776611 or by email to property@threerivers.gov.uk
- 15 Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at <https://www.gov.uk/common-land-village-greens>

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at <https://www.gov.uk/guidance/carrying-out-works-on-common-land> and on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx>
- 16 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> by telephoning 0300 1234047.

- 17 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.
- 18 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.
- 19 Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.
- 110 Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.
- 111 Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential Guidance' can be found on the National Grid website at www.nationalgrid.com or by contacting National Grid on 0800688588.

8.3 **RECOMMENDATION: That LISTED BUILDING CONSENT 25/1347/LBC 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: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- C2 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

- C3 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C4 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy and Policies DM3 of the Development Management Policies LDD (adopted July 2013).

- C8 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

8.4 Informatives 25/1347/LBC:

- 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@threeivers.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 development subject to this grant of Listed Building Consent must be carried out in accordance with the submitted documents including:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01,
0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,
0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

- 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.

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PLANNING COMMITTEE – 31 March 2026

25/1984/FUL - Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 CHESTNUT AVENUE, RICKMANSWORTH, HERTS, WD3 4HA

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 22 January 2026
Extension of Time Agreed: 31 March 2026

Ward: Chorleywood North and Sarratt
Case Officer: Suzanne O'Brien

Development Type: Householder development.

Recommendation: That Planning Permission be GRANTED subject to conditions.

Reason for consideration by the Committee: The application was called in by Chorleywood Parish Council due to concerns that the bulk and massing would impact on residential amenity and development would be out of keeping with the character of the area.

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=T5UY4MQFIV700>

1 Relevant Planning History

8/709/74 - Garage, Bathroom, Bedroom, Hobbies – Permitted - 15.01.1975

2 Description of Application Site

- 2.1 The application site contains a detached two storey pitched roof dwelling located along Chestnut Avenue. The dwelling has been previously extended at ground floor level with a single storey front, side and rear extension. The dwelling is set back from the highway with a drive and soft landscaping within the front amenity space. The land levels of the site drop gently in a north west to south east direction. The land levels also drop to the rear of the site; the dwelling is served by a raised patio to the rear. The rear portion of the site includes a wooded area which is protected by Tree Preservation Order 738.
- 2.2 The dwelling is set in from both the north west and south east boundaries. The rear elevation of the neighbouring property to the south east (No.41) angles towards the application site. This dwelling is set in from the common boundary and is set on slightly lower ground to the application dwelling. No.41 has a single storey rear extension which has a similar building line to the ground floor rear elevation of the application dwelling.
- 2.3 The neighbouring property to the north west (No.45) is set on slightly higher ground level to the application dwelling although the ridge heights appear to be similar height. No.45 is constructed close to the common boundary at ground floor level and is set in approximately 1.2m at first floor level. The first floor level closest to the application site is set forward of the rear elevation of the application dwelling. No.45 projects beyond the rear elevation of the application dwelling at ground floor level; including a flat roof projection that is constructed close to the common boundary that projects beyond the first floor level of the application dwelling.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof

extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear.

- 3.2 The rear extension would have a maximum depth of 7m along the north western elevation at ground floor level; it would project 3m beyond the rear most elevation along the south eastern elevation. The ground floor would have a total width of 16m to be constructed in line with the flank elevations of the existing dwelling. The first floor level would extend a total of 3m beyond the rear elevation. The first floor level would include the first floor side extension which would project 6m beyond the south eastern first floor flank elevation to have a total width of 15.8m along the rear elevation. The north western part of the first floor rear extension would be stepped so that it would have a depth of 1.4m for a width of 3.3m. The first floor side extension would be constructed in line with the original front elevation to have a total depth of 10m.
- 3.3 The ground floor would have a flat roof with a height of 3.8m from the lower ground level. The first floor would incorporate a roof extension to the front (extending over the existing front projection), side and rear at the same height as the existing ridge to create a crown roof with a depth of 3.7m and width of 9.4m. The roof form would extend over the recessed first floor level to create a covered area.
- 3.4 To the front the proposal would include a two storey front extension. It would be stepped to bring the front elevation out in line with the existing two storey front projection and introduce a central 1.9m deep projection that would have a width of 3.6m. The proposed extension would have a pitched roof with a gabled end and a height of 7.8m. Fenestration would be inserted within the front, side and rear elevations of the extensions at ground and first floor level.
- 3.5 The loft conversion would be facilitated by the roof extension (as identified in paragraph 3.3) and would be served by two rear dormers and central rear rooflight. The dormers would be identical in size and would measure 3m in width by 1.9m in height and 1.9m in depth.
- 3.6 The plans include the provision of a raised rear patio. The patio would have a depth of 2.6m beyond the rear extension and width of 17.6m and would be constructed in line with the north west boundary. The plans indicate that the proposed patio would have a maximum height of 0.9m. The levels along the flank of the dwelling would also be increased in height by approximately 0.9m.
- 3.7 Amended plans were requested and received during the course of the application, the following amendments were provided:
- Removed increase in ridge height;
 - 0.3m set in of the first floor level from the south east boundary with No.41
 - Removal of the additional hardstanding to the frontage and removal of the extension to the existing crossover and proposed new cross over
 - Removal of the front boundary wall and gates.
- 3.8 The amended plans have also included details of a raised patio to the rear detailed above; neighbours were reconsulted on the amended plans.

4 Statutory Consultation

4.1 Chorleywood Parish Council: Object

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

The scale of the extensions and their bulk and mass are unneighbourly in scale when compared to 45 Chestnut Drive. The extensions will result in a sizeable breach of the 45o splay line to 45 Chestnut Drive.

The proposed walls and gates are out of keeping with the surrounding area.

The proposed gates do not appear to be sufficiently set back from the highway to avoid vehicles entering the property projecting into the public highway.

Permission is required from Hertfordshire Highways for the additional dropped kerb.

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.

Officer note: Chorleywood Parish Council have been reconsulted on the amended plans however no comments have been received.

4.2 Herts Ecology: No objection:

First comments received objecting:

Given that considerable modifications to the building are proposed, impacts on bats should be a consideration; all bats are protected by law.

Given its setting, near to established gardens and areas of semi-natural habitat, and evidence of bats making use of similar properties nearby, I recommend that prior to determination, the structure is subjected to a Preliminary Roost Assessment (PRA) to identify the potential of the structure to support roosting bats. If evidence is found here, up to three dusk emergence surveys will likely be required. Whilst a PRA can be carried out at any time of year, emergence surveys are restricted to the summer period, ideally from May until the end of August. Given these seasonal constraints I would urge the applicant to commission the PRA promptly.

Comments removing objection:

Thank you for consulting Hertfordshire LEADS (Ecology).

This application is exempt from Mandatory Biodiversity Net Gain. The Ecology Service (LEADS) has not undertaken any scrutiny of the validity of the claimed exemption, however taking it at face value in this instance, the requirement for mandatory 10% biodiversity gain does not apply.

After an assessment of the application and supporting ecological documents, we have concluded that the proposals are unlikely to have any significant ecological impacts, therefore the application can be determined accordingly. However, in the unlikely event that bats are found, we advise a precautionary approach to the works is taken and recommend the following informative is added to any permission granted:

“If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.”

4.3 Hertfordshire County Council - Highway Authority: Objects to the originally submitted plans:

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 recommends that permission be refused for the following reasons:

1. The proposed additional crossover and dropped kerb; and widened vehicle crossover and dropped kerb; are not in accordance with Hertfordshire County Council's (HCC) policy and has the potential to negatively impact on the free and safe flow of highway users on the adjacent highway due the provision of an unnecessarily wide vehicle access. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy

Framework (NPPF), HCC's Local Transport Plan (LTP4) 2018 and HCC's Residential Dropped Kerbs Policy.

Comments

The development site is located on Chestnut Avenue, an unclassified local access road subject to a 30mph speed limit and is considered highway maintainable at public expense. On Hertfordshire's Place and Movement network, Chestnut Avenue is categorised as P2/M1 (e.g. Residential Street).

No reportable highway collisions recorded within the immediate 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.

Site drawing A-101-P6 ('Proposed Site Plan') outlines the developments proposal to widen the existing dropped kerb and vehicle crossover from 4.7m to 5.7m, and create an additional dropped kerb and vehicle crossover to the right of the existing one.

Both of these proposals are in contention with Hertfordshire County Council's Residential Dropped Kerb Policy which states that:

- "We do not provide second dropped kerbs. This is because every access point on a property is a potential point of conflict between people and cars. Access points are limited to one per property";

- "If the property already has a dropped kerb, we will only extend the existing access up to a maximum of four flat kerbs which equals 3.6m. Dropped kerbs will be no wider than four flat kerbs. This is the widest dropped kerb that we will allow. You will also be provided with one or two ramped kerbs depending on your property. Please do not apply for a dropped kerb wider than this as it will be refused".

A dropped kerb which contains a maximum of four flat kerbs and two ramped kerbs would be 5.4m in width. The proposals include widening the existing access to 5.7m.

The Highway Authority is therefore recommending refusal on this application for the above reasons but notes that other than what has been identified the Highway Authority currently has no other concerns. We would recommend the applicant submits amended plans that provide vehicular access which is congruent with Dropped Kerb Policy.

Officer comment: Since receipt of these comments the plans have been amended removing the alterations to the frontage including the new access, extension to the existing access and drive and front boundary treatment.

4.4 TRDC Tree and Landscape Officer: No Objection:

The Landscape Officer has confirmed that no objections were raised to the submitted Arboricultural Impact Assessment.

4.5 National Grid: No comments received.

4.6 **Public/Neighbour Consultation**

4.7 Neighbours consulted: 4

4.8 Responses received: 3. Two objections; one support received.

4.9 Site Notice: expired 23 December 2025

4.10 Press Notice: Not Required

4.11 Summary of objection responses received:

The wall and gate would block safe view for exiting cars from neighbouring drive and hazard on sharp bend and when cars are parked on the highway; Gate and cross over would hinder safe flow of traffic; Gates and wall would be contrary to covenants and would not be in keeping with the character of road; The loft conversion and dormers would result in overlooking and loss of privacy; Overdevelopment of the plot which would overwhelm No.45; Reduction in height of chimney would cause smoke problems for neighbours; Hardstanding would cause flood problems; Vegetation has already been removed from the front garden.

4.12 Summary of support responses received:

Fully support the revised planning application; The revised proposal mirrors the scale of many other properties on the road and would represent a fair and consistent addition.

Officer note: The alterations to the frontage including new access, extension to existing access, hardstanding and front boundary treatment have been removed from the proposed plans and no longer form part of the proposal.

4.13 Following the publication of the original committee report in advance of the 19 March 2026 meeting, two further neighbour comments were received:

- Both note the removal of the works to the frontage of the site.
- One supports the revised plans,
- One raises an objection relating to overlooking from the proposed rear dormer windows.

5 Reason for Delay

5.1 Committee Cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

6.2 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).

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

6.4 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.

6.5 The Environment Act 2021.

6.6 National Planning Policy Framework and National Planning Practice Guidance

In 2024 the National Planning Policy Framework was updated. 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.

6.7 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 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, DM6, DM9, DM13 and Appendices 2 and 5.

Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020). Policy 2 is relevant.

7 Planning Analysis

7.1 Impact on the character and appearance of the host dwelling

- 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 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.
- 7.1.2 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 Policy 2 of the Chorleywood Neighbourhood Plan stipulates that developments should make a positive contribution to the street scene by way of frontage, building line, scale and design.
- 7.1.4 Amendments were requested and received during the course of the application which resulted in the removal of the works to the frontage of the site including the front boundary treatment, extension to hardstanding and alterations to the access and addition of a new access. These elements no longer form part of the proposal and will not be discussed.
- 7.1.5 The proposed development would serve to increase the bulk and massing of the dwelling in comparison to the existing built form. However, Chestnut Avenue is characterised by

detached dwellings of varied size, scale and design; including dwellings with crown roof forms. Overall, following amendments to the scheme, the bulk, massing and design of the dwelling is not considered to result in an unduly prominent or obtrusive feature within the street scene for the reasons expanded on below.

- 7.1.6 The proposed first floor side extension would increase the bulk and massing of the dwelling. It would be set in 1.6m from the flank boundary at first floor level which would exceed the 1.2m minimum distance requirement as set out within the Design Criteria. The set in would respect the spacious quality of Chestnut Avenue and the resultant width of the dwelling would not appear out of context in relation to the large buildings that characterise Chestnut Avenue. The proposed two storey front extension would project forward of the original front elevation it would however be set behind the existing extended ground floor front elevation. The neighbour at No.41 is set slightly behind the front elevation of the application dwelling, although it sits on an angle in the street scene, No.45 is set slightly forward of the original front elevation of the host dwelling. The two storey front extension would have a central position, would be set down from the ridge and would not be of a depth or siting that would disrupt the established building line along this part of the street scene or be of a scale or design that would result in an unduly prominent feature.
- 7.1.7 The proposal would include first and ground floor rear extensions. The increase in depth would be apparent from public vantage points considering the set in and orientation of No.41. The ground floor would be relatively deep elevation however this would not result in a noticeable feature as viewed from Chestnut Avenue. The first floor level would not have an excessive depth that would appear out of keeping with the buildings within Chestnut Avenue which have been altered and extended to differing degrees.
- 7.1.8 The proposal would introduce a crown roof; the Design Criteria identifies that '*Crown roofs can exacerbate the depth of properties and often result in an inappropriate bulk and massing. As such, they are generally discouraged and more traditional pitched roofs are generally favoured*'. The crown roof would not be excessive in depth and would not represent development of inappropriate bulk and massing. The covered area created by the set back of the north western rear corner would not be readily apparent from Chesnut Avenue due to the relationship with No.45. Thus, is not considered that the extensions to the dwelling would result in an incongruous or prominent addition to the street scene.
- 7.1.9 Rear dormers and rooflight are proposed to serve the loft conversion. As set out in the Design Criteria 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. The two dormers would be clearly set down from the ridge, set back from the rear elevation and set in from the flank roofslopes that would be clearly subordinate to the proposed roof form and would not result in a dominant feature as viewed from public vantage points. The proposed dormers are considered to be compliant with the Design Criteria set out in Appendix 2 and considered to be acceptable from the perspective of impact on street scene and the character of the host dwelling.
- 7.1.10 The proposed development would noticeably increase the bulk and massing of the dwelling. However, the size, scale and design of the resultant dwelling would not result in overdevelopment of the large plot, would maintain the spacious qualities of Chestnut Avenue and would not appear out of character within the architecturally varied nature of the street scene.
- 7.1.11 Thus, the character of Chestnut Avenue would not be adversely affected by the proposed development and would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013) and Policy 2 of the Chorleywood Neighbourhood Plan.

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 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.
- 7.2.2 No.41 is set on slightly lower ground to the application dwelling and sits at an angle so that the rear elevation of No.41 angles towards the common boundary between the properties. No.41 is set in from the common boundary and has a single storey rear extension that has a similar depth to the ground floor rear elevation of the application dwelling; the adjacent first floor level is set forward of the rear elevation of the application dwelling. The first floor of the proposed two storey side and rear extension would not intrude into the 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the ground floor rear wall of No.41. The first floor level of the extension would extend beyond the first floor rear elevation of No.41 by approximately 5.3m and the ground floor would extend approximately 3.7m beyond the rear ground floor rear elevation of No.41. The spacing (a minimum of approximately 4.5m separation) and relationship between the properties would prevent the proposed development from resulting in any unacceptable loss of light or harm to the visual amenities of No.41.
- 7.2.3 The extension to the roof and dormers would increase the built form at roof level however it would be hipped to the front and rear and the dormers would be set in from the common boundary. As such, the roof extension and dormers would not result in a dominant or unacceptable relationship with No.41. As the front elevation of No.41 is orientated away from the application site the proposed extensions to the side and front would not result in any loss of light or harm to the visual amenities of No.41.
- 7.2.4 No.45 is constructed close to the common boundary at ground floor level and set in approximately 1m at first floor level. No.45 has a stepped rear elevation with the rear elevation closest to the boundary with the application site being set forward of the rear elevation of the application dwelling at first floor level; the ground floor flat roof extension extends beyond the two storey rear elevation of the application dwelling. The proposal at ground floor level would extend approximately 4.8m beyond the ground floor of No.45 whilst the first floor, due to the stepped design, would not project beyond the ground floor of No.45. Although it is noted that the roof form would overhang the recessed element. The proposed extension would not intrude into the 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the rear wall of No.45. The first floor level adjacent to the common boundary would be extended out by 1.4m with the deeper section set in 3.3m from the flank elevation. The north western first floor would extend approximately 4.3m beyond the first floor rear elevation of No.45 although it is noted that the covered area would extend deeper. The first floor level of No.45 is set in approximately 1m from the common boundary with the first floor window set in further, No.45 is also set on slightly higher ground and slightly angled away from the application site. It is considered that due to the relationship with No.45 the proposed ground and first floor extensions would not result in unacceptable loss of light to the first floor of No.45 or result in unacceptable harm to the visual amenities of this neighbouring property.
- 7.2.5 The front extension would be set in from the common boundary with No.45 thus would not result in any harm to the residential amenities of this neighbouring property. As previously identified the roof extension would be hipped to the side and rear and the dormers would be set in from the common boundary and would be subservient to the proposed roof. As such the proposed roof extension would not result in a dominant relationship or unacceptable loss of light to No.45.
- 7.2.6 In terms of overlooking no first floor flank windows would be inserted within the dwelling or extension. The fenestration to the rear at ground and first floor level would not increase overlooking above the existing situation. Although the development would bring first floor

windows closer to the flank boundary with No.41 the levels of overlooking would not be materially greater or result in unacceptable overlooking into this neighbouring property. The proposal would include dormers within the rear roofspace. Concerns have been raised that these will increase overlooking into the surrounding neighbouring properties. The dormers would not be excessive in size and would be set in from both flank boundaries. It is not considered that the addition of dormers and rooflight within the rear roofslope of the proposed roofspace would result in unacceptable levels of overlooking into the surrounding neighbouring properties compared to the existing situation.

- 7.2.7 The proposed development would include the provision of a raised patio. The proposed patio would be constructed close to both flank boundaries. The proposed patio would extend deeper into the site than the existing patio where the brick walls drop in height reflecting the drop in site levels. The fencing along both boundaries consists of a mixture of brick walls and open fencing. The depth and height of the patio could facilitate overlooking into the neighbouring properties this however could be mitigated by the installation of 1.8m high screening along the edges of the patio. It is noted that this information is not included on the plans however considering the neighbouring properties are served by generous amenity space provision and the existing boundary treatment the addition of 1.8m high screening along the sides of the terrace to be secured by condition would not result in unacceptable harm in terms of dominance or loss of light on the neighbouring properties.
- 7.2.8 No harm to the residential amenities or overlooking to other surrounding neighbouring properties would result from the proposed development.
- 7.2.9 Concerns have been raised that the proposed chimney would be lowered resulting in smoke impacting on the neighbouring properties. The chimney would need to be constructed to Building Regulations in terms of height and clearance however it would sit higher than the eaves and windows of the neighbouring dwelling.
- 7.2.10 Thus, subject to conditions the proposed development would not result in unacceptable loss of light, harm to the visual amenities or overlooking of the neighbouring properties. The proposed development would therefore be acceptable in this regard 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 Highways & Parking

- 7.3.1 Core Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.
- 7.3.2 The proposal would not result in any alterations to the frontage or extension to the drive. Thus the objections raised by the Highways Authority are no longer applicable to the assessment of the proposal. The frontage can accommodate three cars which is sufficient to serve the four plus bedroom dwelling.

7.4 Rear Garden Amenity Space

- 7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.
- 7.4.2 There is sufficient amenity space provision to comfortably accommodate the proposed extension and serve a six bedroom dwelling.

7.5 Trees & Landscape

- 7.5.1 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. The proposed development would not involve the removal of any trees or lie in close proximity to trees.

7.5.2 The proposed development would not require the removal of any trees nor is considered to result in any harm to others. The protected trees are sited to the rear of the site and would not be affected by the proposed development or construction activities. Concerns were raised that vegetation had been removed from the front of the site. No protected trees are sited within the frontage. An Arboricultural Impact Assessment has been submitted. The Landscape Officer has confirmed that the details submitted are acceptable. Subject to a condition requiring details of tree protection measures to be implemented as set out in the report no objections are raised in this regard.

7.6 Biodiversity

7.6.1 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.

7.6.2 Biodiversity protection and protected species are a material planning consideration during the application process of this application. This is in accordance with Policy CP9 of the Core strategy in addition to Policy DM6 of the Development Management Policies Local Development Document. Local Authorities, in line with National Planning Policy, are required to ensure that a protected species survey is completed for applications whereby biodiversity may be affected prior to the determination of the application.

7.6.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the application.

7.6.4 It is noted that Herts Ecology initially objected to the proposed development requiring a bat survey to be submitted. A Preliminary Survey was submitted and Herts Ecology confirmed that no protected species would be affected by the proposal; subject to an informative.

7.7 Mandatory Biodiversity Net Gain

7.7.1 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.

7.7.2 In this case, 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.

8 **Recommendation**

8.1 That Planning Permission be **GRANTED** subject to 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: A-103 P3, A110 P3, A-111 P3, A150-P3, A-160 P5, A-100 P4, A-101 P7, A-104C P5, A-105C P4, A106C P6, A112C P6, A113C P6, A-190 P1, A-191 P1, TRDC001 (Location Plan).

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, DM6, DM9 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy 2 of the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020).

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 Policies DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 The protective measures, including fencing, shall be undertaken in full accordance with the approved Arboricultural Impact Assessment (reference 26024-DA-AIA-01), by davies arboriculture, dated 14 March 2026 before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved 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 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 first use of the rear patio hereby permitted, details of screening to a height of 1.8m as measured from the surface of the raised patio to be erected along the flank elevations of the raised patio shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected prior to the first use of the patio in accordance with the approved details, and maintained as such thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

C6 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 floor flank 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 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 stipulates that construction activity (where work is audible at the site boundary) 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 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>.

- 15 If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

25/1984/FUL - Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 CHESTNUT AVENUE, RICKMANSWORTH, HERTS, WD3 4HA



Relationship with No.41



Relationship with No.45







PLANNING COMMITTEE – TUESDAY 31 MARCH 2026

25/2228/RSP – Part-Retrospective: Construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth, Hertfordshire, WD3 3GD

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 12.03.2026
(Extension of Time: 03.04.2026)

Ward: Durrants
Case Officer: Scott Volker

Development Type: Householder.

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

Reason for consideration by the Committee: Called-in by Croxley Green Parish Council for the reasons set out at paragraph 4.1 below.

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=T7RGSUQFJDR00>

1 Relevant Planning & Enforcement History

- 1.1 25/1330/RSP - Retrospective: Construction of single storey rear extension – Refused November 2025 for the following reason:

R1 The single storey rear extension has resulted in an intensification of use of the site and a shortfall in parking to the detriment of neighbouring amenity and the character of the area. By virtue of its design, including two rear doors, and materials that do not match the original dwelling house, the extension fails to respect and is harmful to the character and appearance of the host dwelling and area. The development is therefore contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and DM13 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).

- 1.2 25/0109/COMP - Unauthorised Rear Extension – Pending consideration, subject to the outcome of this application.

2 Description of Application Site

- 2.1 The application site contains a property situated on the west side of Gade Bank in Croxley Green. Gade Bank is a short cul-de-sac, characterised by eight pairs of semi-detached dwellings built on a uniform building line in a single row.
- 2.2 The application site is within a semi-rural location with the Grand Union Canal situated to the east of the site on the opposite side of Gade Bank. The rear of the site (to the west) is woodland covered by a Woodland Tree Protection Order (TPO790) which stretches the entire length of Gade Bank, with school playing fields beyond this. The site lies within the Metropolitan Green Belt.
- 2.3 The application property is two-storey with accommodation within the roof space facilitated by a hip-to-gable roof extension and rear dormer. The property has also benefitted from a single storey rear extension which is the subject of this planning application. The property has a pebble-dash rendered exterior and a dark tiled roof. To the front of the property is a small garden enclosed by evergreen hedging to all boundaries. At the rear, there is a private garden measuring approximately 190sqm enclosed by close-boarded timber fencing and hedging. The land levels rise gradually to the rear boundary of the site.

- 2.4 Parking associated to the properties on Gade Bank is located on the opposite side of the access road serving this row of dwellings.
- 2.5 The property has been put to use as a House of Multiple Occupation (“HMO”) (Use Class C4); however, the property is currently vacant following a Closure Order (see paragraph 8.1.7).

3 Description of Proposed Development

- 3.1 This planning application seeks part-retrospective planning permission for a single storey rear extension. The extension has been built but this application is seeking changes to the design and internal changes.
- 3.2 The extension has a depth of 3.37m from the rear elevation of the host property and extends the full width of the property measuring 6.1m in width and is built up to the shared boundary with 9 Gade Bank and offset from the boundary with 11 Gade Bank by 1.3m. The extension has a flat roof measuring 2.8m in height. The dimensions of the extension are unchanged as proposed.
- 3.3 The extension as built contains glazing within the rear elevation comprising two windows and two doors. It is now proposed to replace these features with a single set of bi-folding doors. The external appearance of the extension as built is white painted smooth render. It is now proposed for a brick-slip or render that matches the external appearance of the dwelling to be applied to the elevations of the extension. Clarification was sought from the applicant on the external appearance, and it has been confirmed that the extension would have a pebble-dash render exterior. The submitted drawings show that the extension would be rendered to match.
- 3.4 Internally, the extension as built initially provided two additional bedrooms; however, the submitted floor plans detail that the extension would now provide for an open plan living, kitchen and dining room. Amended plans were received during the course of the application process to alter the internal layout of the main property. This has included removal of the all ensuite bathrooms and the creation of a family bathroom and the replacement of a kitchen within the loft space to provide a walk-in closet.
- 3.5 This application is supported by a Cessation of Use Declaration & Statement of Intent that the property’s use as an HMO would cease and the property reinstated as a family dwelling. Further explanation in respect of the use of the property is provided in the analysis section below at Section 8.1.

4 Consultation

- 4.1 Croxley Green Parish Council: Objection CALL-IN (unless officers minded to refuse)

The parish council objects to this application. Although this application states it will be returned to a single dwelling, it retains a second kitchen on the second floor, and the ground floor front room could become a bedroom. This layout would easily enable a four bedroomed HMO. No WC can be accessed without going through a bedroom. If the officer is minded to approve, we request call in to committee. If the committee is minded to approve, we request a condition limiting use to a single occupancy dwelling house. We draw the Councils attention to neighbours’ complaints about inadequate sound insulation and request a noise survey be carried out before this application is presented to committee for determination.

Officer Comment: This application is not assessing the impact of the proposed use but rather the impact of the proposed extension.

- 4.2 Environmental Health Officer: Verbally consulted, no objection.
- 4.3 National Grid (Gas): No response received.

5 Public/Neighbour Consultation

5.1.1 Site Notice: Posted – 29.01.2026 Expired – 19.02.2026

5.1.2 Press notice: None.

5.1.3 Number consulted: 7

5.1.4 No of responses received: 5 (5 objections received)

5.1.4.1 Summary of responses received:

- Concerns property would revert back to House of Multiple Occupation
- Layout of property is not akin to a family dwelling
- Property would be easily capable of being used as a shared house or HMO
- Not reasonable to rely on assurances alone
- Impact on neighbours through noise and disturbance
- Noise and sound assessment should be undertaken
- Existing property is of lightweight construction allows for noise to transmit easily
- No daylight assessment undertaken in respect of neighbouring windows
- No consultation with Herts Ecology or independent survey taken on biodiversity
- Dust ingress from extension remains in neighbouring property
- Impact on Human Rights of neighbours
- Property has been subject to a police Closure Order
- Inconsistent floor plans
- Impact on character and appearance of dwelling
- Lack of parking provision

6 Reason for Delay

6.1 None.

7 Relevant Planning Policy, Guidance and Legislation

7.1 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the National Planning Policy Framework was updated. 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 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). Relevant chapters include Chapter 2, Chapter 6 and Chapter 7.

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).

7.2 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 PSP1, CP1, CP6, 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, DM6 and DM9 and Appendices 2 and 5.

Croxley Green Neighbourhood Plan (2018). Relevant policy includes CA2.

7.3 Other

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

8 **Planning Analysis**

8.1 Background

- 8.1.1 Following a report to the Council an enforcement investigation was opened regarding the construction of a single storey rear extension (ref. 25/0109/COMP).
- 8.1.2 A site inspection was conducted where it was ascertained that the dwelling (at the time) had been extended to the rear. The extension as built by virtue of its depth exceeds the limitations of Schedule 2, Part 1, Class A A.1(f)(i) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) ("the GPDO") which restricts single storey rear extensions to semi-detached dwellings to 3m under permitted development rights. An extension greater than 3m would require an application for express planning permission.
- 8.1.3 Whilst officers are satisfied that the property was in C3 use (dwelling house) at the time of the works, the works themselves facilitated a change of use. Notwithstanding this, a C4 use (HMO) benefits from the same permitted development rights that are available to C3 use (dwelling houses).
- 8.1.4 An application to regularise the single storey rear extension was heard at the planning committee in November 2025 reference 25/1330/RSP. Members resolved to overturn the recommendation of officers and subsequently refused planning permission for the reason set out at paragraph 1.1. Concerns were raised that the single storey rear extension resulted in an intensification of use of the site and a shortfall in parking to the detriment of neighbouring amenity and the character of the area. Furthermore, the design of the extension, including two rear doors, and materials that do not match the original dwelling house meant that the extension failed to respect and is harmful to the character and appearance of the host dwelling and area.
- 8.1.5 This latest application has therefore been submitted in an attempt to formalise the breach of planning control by utilising Section 73A of the Town and Country Planning Act 1990 (as

amended) which enables an application to be made to the Local Planning Authority for development carried out before the date of the application and which proposes alterations to the extension both external and internal to overcome the previous reason for refusal of application 25/1330/RSP.

- 8.1.6 There have been continued concerns received regarding the use of the property as a House of Multiple Occupation (HMO) and although this application is supported by a 'Cessation of Use Declaration & Statement of Intent' setting out a commitment from the applicant that the property would be returned back to a C3 Use as a single dwellinghouse this cannot be solely relied upon. To clarify, the change of use of a building from its use as a dwellinghouse ("C3" of the Use Class Order) to its use as a HMO that is to be occupied by up to six residents and vice versa, is granted deemed planning permission by virtue of Class L of Part 3, Schedule 2 of the GPDO, otherwise known as 'permitted development'. Accordingly, the owner of 10 Gade Bank did not require express planning permission from the council to undertake a change of use from C3 (dwelling house) to C4 (small HMO) in the first instance. Notwithstanding this, the use of the property does not form part of the consideration in the assessment of the acceptability of this application.
- 8.1.7 Officers note that the application property was the subject of a Closure Order granted by St Albans Magistrates Court following complaints of anti-social behaviour which came into effect in October 2025. Officers understand the Closure Order has now expired. This is a Police matter which falls outside the remit of planning and is not a material planning consideration in the assessment of the acceptability of the proposed single storey rear extension.

8.2 Impact on Green Belt

- 8.2.1 The site is located within the Metropolitan Green Belt. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 154 of the NPPF outlines a number of exceptions to inappropriate development. One such exception to inappropriate development at paragraph 154(c) includes *'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'*.
- 8.2.2 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. The policy replicates Green Belt policies contained within the NPPF and therefore can be given weight.
- 8.2.3 Policy DM2 of the Development Management Policies LDD (adopted July 2013) relates to development within the Green Belt and sets out that extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account. Policy DM2 pre-dates the current 2024 NPPF but was adopted after the publication of the 2012 NPPF. The wording of the Green Belt chapters of the NPPF has not materially changed between the 2012 and 2024 NPPF in respect of exceptions to openness, and on that basis it is considered that DM2 which was adopted after the 2012 NPPF was published, is consistent with the NPPF and is an up to date policy to which considerable weight may be attached.
- 8.2.4 More specific guidance to the implementation of DM2 is provided in Supplementary Planning Guidance No.3, Extensions to Dwellings in the Green Belt. The SPG provided further explanation of the interpretation of the Green Belt policies of the Three Rivers Local Plan 1996-2011. These policies have now been superseded by Policy DM2. Nevertheless, the SPG provides useful guidance and paragraph 4.5 of the Development Management

Policies LDD (adopted July 2013) advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document. As the NPPF or the Local Plan Policies do not give any clear guidance on the interpretation of the scale of extensions that would be disproportionate, the SPG, whilst of limited weight by virtue of its age, does give useful guidance and states that extensions resulting in a cumulative increase in floor space of over 40% compared with the original dwelling may be disproportionate.

8.2.5 Green Belt Calculations

- Original floor space – 76sqm
- Existing extensions – 12sqm (loft conversion including rear dormer)
- Floor space of proposed development – 17sqm (single storey rear extension)
- Total floorspace – 105sqm

8.2.6 The proposed extension would result in a cumulative increase of 29sqm to the original property, equating to a 22% increase over the original floorspace. This remains the same as the previous application. The development would therefore not exceed the 40% guideline as set out in the SPG; and given the extension is located at the rear of the property and has a flat roof design the proposed development is not considered to be a disproportionate addition to the host property. As the proposed extension is not considered disproportionate to the original property, it is not inappropriate development within the Green Belt. The openness of the Green Belt cannot be compromised by development that is not inappropriate.

8.2.7 In summary, the proposal is an appropriate form of development in the Green Belt which by virtue of its appropriateness does not harm the openness of the Green Belt. The development is considered acceptable and in accordance with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2024).

8.3 Design and impact on host property and street scene / area

8.3.1 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 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'.

8.3.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should not have appear excessively prominent and should not have a significant impact on the visual amenities of the area. The Design Criteria at Appendix 2 sets out that generally the maximum depth should be 3.6m. This distance may be reduced if the extension is unduly prominent.

8.3.3 Gade Bank is located in Character Area 11 (Cassiobridge, River Gade, Canal and Common Moor) identified in the Croxley Green Neighbourhood Plan (2018) ("CGNP"). Policy CA2 of the CGNP domestic extensions requiring planning consent should seek to conserve and enhance the Character Areas 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.

8.3.4 The extension is single storey and at 3.37m in depth complies with the guidance contained within Appendix 2. The extension is set back from the highway and is flush with the flank elevation of the existing property; thus, is not readily visible and does not appear as a prominent feature within the street scene.

- 8.3.5 Application 25/1330/RSP was refused by Members at the November Planning Committee after Members raised concerns that the design of the extension, including two rear doors, and materials did not match the original dwelling house and therefore considered that the extension failed to respect and is harmful to the character and appearance of the host dwelling and area. This application has sought to overcome these concerns by amending the design of the extension. It is now proposed to apply external render to the extension to match the appearance of the host property, and this would be secured by condition. This now ensures that the extension would no longer appear as a "mismatched" addition but as continuation of the external appearance of the host property. The replacement of the existing fenestration including the two separate rear doors with a single set of bi-folding doors which is a common feature for similar extensions in the District and is considered acceptable.
- 8.3.6 Concerns were previously raised with the unfinished flank wall of the extension facing 9 Gade Bank. Officers consider that given this application proposes to render the whole extension that the works to this flank would be completed. It will, however, require permission from the owner of 9 Gade Bank for access in order to undertake the works to the flank and this would be a civil matter and should not be a reason to refuse the application.
- 8.3.7 Officers conclude that the amended extension as proposed would not result in harm to the host property or the character of the wider area and therefore consider that the proposal satisfactorily overcomes the previous reason for refusal in respect of design and character. Consequently, the proposal is deemed acceptable in regard to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA1 of the Croxley Green Neighbourhood Plan (2018).
- 8.4 Impact on Neighbours
- 8.4.1 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'.
- 8.4.2 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.
- 8.4.3 The proposed single storey rear extension has been built up to the common boundary with 9 Gade Bank and is set in from the respective boundary shared with 11 Gade Bank by approximately 1.3m. Given the single storey design of the extension with its modest height and depth which complies with the guidance of Appendix 2, it is not considered to appear unduly prominent or result in any significant harm in terms of overshadowing, appear overbearing or cause loss of light and is considered acceptable. The proposed fenestration inserted into the rear of the proposed rear extension would not result in any overlooking to any neighbouring dwellings as the glazing would have outlook into the rear amenity space of the application site.
- 8.4.4 Concerns have been received requesting that a daylight assessment should be undertaken prior to the determination of the application in order to assess the impact of the extensions towards the ground floor window within the rear elevation of 9 Gade Bank closest to the extension. It is not considered that such an assessment is reasonable or appropriate in this instance for the reasons set out in the paragraph above. Furthermore, the size of the extension in terms of its depth and height is the same as the previous application 25/1330/RSP which did not form a reason for refusal of planning permission.

- 8.4.5 Concerns have also been raised in respect of the internal layout and insufficient internal insulation of the building leading to increase noise nuisance. Internal layout of the building does not form part of the assessment of this application; however, it is noted that the dwelling would contain a reduced number of bedrooms when compared to the previously refused application – particularly in respect of the rear extension which is now shown to provide an enlarged kitchen/dining area. Furthermore, the applicant has provided amended plans to alter the internal layout of the dwelling so that it is more akin to a family dwellinghouse to remove all ensuite bathrooms and include a family bathroom. The redesign of a property and where services, including en-suites/bathrooms are placed, falls to Building Control. Secondly, concerns regarding insulation is not a material planning consideration as this also falls within the jurisdiction of Building Control. Environmental Health were verbally consulted on the application and advised that simply hearing noise in your home does not automatically equate to a nuisance and there is no right to silence. Furthermore, Environmental Health cannot compel the installation of insulation. As set out previously, this is a Building Control matter and therefore should not form a reason for refusal.
- 8.4.6 Overall, it is considered that the proposed extension does not result in any demonstrable harm to the residential amenities of any of the surrounding neighbouring properties and the development would 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).
- 8.5 Highways & Parking
- 8.5.1 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 and Appendix 5 of the Development Management Policies document set out parking standards.
- 8.5.2 Prior the rear extension being constructed, the property (a single dwelling) contained three bedrooms which required 2.25 parking spaces. This application seeks to return the property to a single dwellinghouse containing three bedrooms.
- 8.5.3 The ownership of 10 Gade Bank extends beyond the red line as shown on the submitted Location Plans and does include the area on the opposite side of the access road as indicated on the Land Registry Title Plan HD543077 obtained by the case officer. This is the case for all the properties on Gade Bank. This area is well established for parking; and provides space for two vehicles associated for the application property.
- 8.5.4 There would be a shortfall of 0.25 parking spaces against the Parking Standards in respect of a single dwellinghouse; however, it is noted that the frontage of the property could be used to create additional parking provision in future. Thus, it is not considered that the shortfall of parking alone is considered sufficient to justify refusal of planning permission in this regard.
- 8.6 Amenity Space
- 8.6.1 Policy CP12 of the Core Strategy (adopted October 2011) states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The Design Guidelines at Appendix 2 of the Development Management Policies LDD provides indicative levels of amenity space which should be provided/retained following development based on the number of bedrooms within the dwelling.
- 8.6.2 The indicative level of amenity space required for a property of this size is 147sq. metres. The application site benefits from a private amenity space measuring 190sqm, exceeding the guidance and is acceptable.

8.7 Biodiversity

- 8.7.1 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.
- 8.7.2 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. Requests have been made by local residents for an independent ecology survey to be undertaken in addition to the applicant's self-assessed biodiversity checklist; however, this is not considered necessary or appropriate given the nature of the proposed development.
- 8.7.3 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).

8.8 Mandatory Biodiversity Net Gain

- 8.8.1 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.
- 8.8.2 Given that this is a retrospective application for the retention of single storey rear extension, the need for the development to achieve a biodiversity net gain is not required as the development is exempt.

8.9 Trees

- 8.9.1 The application site does not contain any protected trees. Although the site does back onto an identified woodland with a Tree Preservation Order, the rear of the extension is approximately 28m away from the rear boundary and the proposed development has not impacted on any on-site trees and is sufficient distance from the TPO area to not impact those protected trees.

8.10 Summary

- 8.10.1 To conclude, the above assessment has considered the merits of the single storey rear extension. Concerns regarding the past or future concerns with the use of the building as a HMO does not form part of the consideration in the assessment of the acceptability of the single storey rear extension. The extension is an appropriate form of development within the Green Belt. The applicant has made alterations to the external appearance of the extension to address the previous reasons for refusal of the application and officers conclude that the extension does not impact on the character and appearance of the host property or wider area. Furthermore, the applicant has provided amended plans to alter the internal layout of the dwelling so that it is more akin to a family dwellinghouse to include a family bathroom. The extension does not impact on neighbouring amenities. Whilst it is recognised that a slight shortfall of a parking exists for the reasons set out in section 8.5, the shortfall is not considered insufficient to justify refusal of planning permission.

8.10.2 Consequently, officer recommendation is to grant retrospective planning permission for the single storey rear extension.

9 Recommendation

9.1 That **RETROSPECTIVE PLANNING PERMISSION BE GRANTED** subject to the following conditions:

C1 WITHIN FOUR MONTHS from the date of this permission, the bi-folding doors to the rear elevation shall be installed and the application of the external pebble-dash render applied to all elevations of the extension to accord with the extension as shown on drawing numbers PR02 RV03 and PR03 RV03.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).

C2 Those parts of the development hereby permitted which have yet to be built, shall be carried out in accordance with the following approved plans:

TRDC001 (Location Plan), PR01 RV02, PR02 RV03, PR03 RV03 & EX04 RV01

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).

9.2 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 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 development maintains/improves the economic, social and environmental conditions of the District.
- 13 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 arrangement which mean that the biodiversity gain conditions does not always 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.

The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out applies).

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>.

- 14 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.

Application 25/1330/RSP – 10 Gade Bank, Croxley Green Site Photos







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PLANNING COMMITTEE – Tuesday 31 March 2026

26/0041/RSP - Part Retrospective: Demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance at 11 PEMBROKE ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE, HA6 2HP

Parish: Batchworth Community Council
Expiry of Statutory Period: 16.03.2026
Extension agreed to 26.03.2026

Ward: Moor Park and Eastbury
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee: Called in by Batchworth Community Council for the reason set out at paragraph 4.1.3 below.

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=T8SW1XQFJJW00>

1 Relevant Planning and Enforcement History

- 1.1 8/108/84 - Replacement garage, utility.
- 1.2 8/457/89 - Dayroom, bedroom in roof.
- 1.3 8/675/91 - Single storey rear extension.
- 1.4 96/0765 - Single storey rear extension – conditional Permission.
- 1.5 24/1025/FUL - Demolition of existing workshop; construction of part single, part two storey rear extension; loft conversion including front/rear dormers and side/rear rooflights; installation of chimney; raised rear patio and internal alterations – Permitted. Partially implemented.
- 1.6 24/1026/FUL - Demolition of existing garage, workshop and front canopy; construction of part single, part two storey side and rear extension; loft conversion including front/rear dormers and side/rear rooflights; relocation of entrance door; installation of chimney; raised rear patio and internal alterations – Refused. Allowed at Appeal.

R1 - The proposed development, by virtue of the overall width and height of the two storey side extension, cumulative impact of the two storey side extension and part single, part two storey rear extension and relocation of the main entrance door and central window within the apex of the gable would result in disproportionate additions to the host dwelling, that subsume the form of the original dwelling, increasing its visual prominence to an unacceptable degree. The lack of spacing to the northern flank boundary would harmfully erode the open and spacious character of the Conservation Area. The proposed development would therefore fail to preserve and enhance the character and appearance of the host dwelling, street scene and Moor Park Conservation Area. The proposed development would cause less than substantial harm under paragraph 208 of the NPPF and the identified harm is not outweighed by any public benefits. The development would be contrary to Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), the Moor Park Conservation Area Appraisal (2006) and the NPPF (2023).

- 1.7 24/1442/FUL - Construction of a two storey and single side and rear extensions; construction of dormer windows to front and rear; installation of rooflights, internal alterations and alterations to fenestration detail – **Refused** for the following reason:

R1 - The proposed development, by virtue of the cumulative impact of the part single front, two-storey side extension and part single, part two storey rear extension would subsume the form of the original dwelling therefore unacceptably eroding the character and appearance of the dwelling. In addition the proposed part single storey front element of the development would appear as an incongruous addition which detracts from the character and appearance of the dwelling. The development therefore would diminish the positive contribution the dwelling has on the Moor Park Conservation Area. The proposed development would cause less than substantial harm under paragraph 208 of the NPPF and the identified harm is not outweighed by any public benefits. The development would be contrary to Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), the Moor Park Conservation Area Appraisal (2006) and the NPPF (2023).

- 1.8 24/1940/FUL - Variation of Conditions 2 (Plans) and Condition 5 (No New Windows/doors) pursuant to planning permission 24/1025/FUL to allow for increase in rear extension depth; increase in height of the side garage extension; alterations to fenestration and new fenestration – Permitted.
- 1.9 25/0186/FUL - Variation of condition 2 (Plans) pursuant to planning permission 24/1025/FUL to allow for increase in depth to the ground floor rear extension, alterations to fenestration of the rear extension and additional fenestrations in the first floor rear and ground floor side elevation – Permitted..
- 1.10 25/1083/CLPD - Certificate of Lawfulness Proposed Development: Erection of 2no. outbuildings – Permitted and Implemented.

2 Description of Application Site

- 2.1 The application site is located on Pembroke Road, Moor Park within the Moor Park Conservation Area. Pembroke Road is characterised by a number of large two storey detached dwellings of varying architectural style and design, some of which appear to have been extended or altered.
- 2.2 The application dwelling is a pre-1958 dwelling and has a dark tiled hipped roof form and an exterior finish consisting of a rough cast white render and red brick quoin detailing to the corners of the dwelling, to the central two storey front gable and above the ground floor front fenestrations. The pre-existing dwelling had been previously extended shortly after its construction with an addition to the southern flank elevation constructed by 1936 (according to the applicant's heritage statement) which whilst not original is considered a very early addition. There was also an attached garage to the opposite side of the dwelling. During the most recent officer site visit it was noted that the planning permission permitted via 25/0186/FUL and the scheme allowed at appeal via LPA planning ref 24/1026/FUL were being implemented on site which cumulatively permitted extensions to the side and rear of the dwelling at both ground and first floor level including a loft conversion with front and rear dormer windows, relocation of the dwellings front entrance and a raised rear patio.
- 2.3 To the front is an existing carriage driveway with an area of soft landscaping to the centre. To the rear of the dwelling is an amenity garden predominantly laid as lawn, the land levels drop slightly towards the rear boundary of the site. Two outbuildings have been constructed to the rear boundary of the site permitted via 25/1083/CLPD.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance.
- 3.2 This application follows the previously approved application via 25/0186/FUL and the scheme allowed at appeal (application 24/1026/FUL). Both of these schemes are currently being implemented on site. The differences between the approved schemes and current are set out within the text below.
- 3.3 For clarity, the development subject of this current application is described in full below.
- 3.4 The existing garage to the side of the dwelling has been demolished and has been replaced by a two-storey side and rear extension which wraparounds the rear of the dwelling at both the ground and first floor.
- 3.5 The two-storey side extension is set back from the principal front wall by approximately 0.2m, has a width of approximately 4.6m and a depth of approximately 13.3m at the ground floor and 7.3m at the first floor. The side projection adjoins the rear projections at both the ground and first floor level. For clarity, the side extension has the same width and setback from the principle front wall as the appeal scheme, and the spacing retained to the flank boundary also remains consistent with this scheme.
- 3.6 To the rear the extension has a depth of approximately 6m and a width of approximately 20.6m at the ground floor. At the first floor the extension has a depth of approximately 4.5m and a width of approximately 11.2m. For clarity the depth of the ground floor rear projection is 1.5m greater than the appeal scheme but identical to the scheme granted under application 25/0186/FUL. The width is the same as the appeal scheme. The first-floor rear projection in terms of its depth and width is the same as the appeal scheme.
- 3.7 The proposal also includes a loft conversion which has been facilitated by a new hipped roof and front/rear dormer windows. The new roof would serve both the side and rear extensions, the two-storey side projection is minimally set down from the ridge line, and the first-floor rear extension is set down further. The two-storey side projection has a ridge height of approximately 9m and the first-floor rear projection has a ridge height of approximately 8.3m. The eaves height remains consistent with the existing eaves line of the dwelling. At the ground floor the rear projection has a flat roof form with a total height of approximately 3.5m. The side and rear projections retain the same height as the appeal scheme. Other than the changes described above, the loft conversion was approved under the appeal scheme, permitting three rear dormers, two front dormers and rooflights.
- 3.8 Three rear dormers are sited within the rear roofslope, all of which have a depth of approximately 1.9m, a width of approximately 1.7m and a height of approximately 1.6m. The dormers have a flat roof and remain set in from all planes of the roofslope. To the front of the dwelling within the principal roof form are two flat roof dormer windows, these have a total depth of approximately 1.7m, a width of approximately 1.2m and a height of approximately 1.6m. The front dormers also remain set in from all planes of the roofslope. The front dormers are slightly smaller than those approved by the appeal scheme and the rear dormers are slightly larger than those approved by the appeal scheme. They remain broadly in the same position within the roofslope., they are however approximately 0.15m deeper, 0.1m wider and 0.1m taller than approved. The front dormers as above remain sited in a similar position to the appeal scheme, would have the same width but would be approximately 0.2m less deep and less tall.

- 3.9 Fenestrations are proposed within the front, side and rear elevation of the dwelling at the ground and first floor level. Including sliding doors within the ground floor rear projection and two roof lanterns within the flat roof form which would take the total height of the rear extension to approximately 3.9m. Two rooflights are proposed within the rear roofslope of the two-storey rear hipped projection.
- 3.10 Within the front elevation of the dwelling, the main entrance door has been relocated to the centre of the existing two storey front gable. The pre-existing main entrance door has been replaced by two new windows within the ground floor front elevation. A circular window has also been installed within the apex of the existing front gable.
- 3.11 The main differences between the scheme allowed at appeal and the proposed retrospective application is the depth of the ground floor rear projection, which had a total depth of approximately 4.5m. The depth of this element is now approximately 1.5m deeper than the scheme allowed at appeal. However, officers would note that when solely looking at the depth of the ground floor in isolation, this depth has been previously approved via 25/0186/FUL.
- 3.12 There are also some changes to fenestrations including the removal of a first-floor window from the side elevation facing No. 13, and two new ground floor windows within this side elevation. There is one less window within the first-floor rear elevation than the appeal scheme, and the proportions of the windows are slightly different.
- 3.13 The rooflights within the rear roofslope of the two-storey rear hipped projection are also slightly smaller than allowed at appeal.
- 3.14 A front porch canopy is also proposed above the dwellings main entrance, this would be fixed to the outer face of the wall projecting beyond it for a depth of approximately 0.5m and would sit at a total height of approximately 2.7m above the natural ground level. The canopy would be Portland stone.
- 3.15 The detailing approved above the garage door within the ground floor front elevation has been omitted since the scheme allowed at appeal.
- 3.16 The resultant dwelling would be finished in smooth K white render with the brick quoins replicated to the perimeter of the dwelling. Render is also proposed within the apex of the existing front gable projection and on the ground floor rear projection. The roof tiles are Marley Acme Clay single camber tiles.
- 3.17 To the rear of the dwelling a raised patio is proposed, this would extend the full width of the dwelling and have a depth beyond the rear elevation of approximately 5m, which is approximately 1.1m deeper than the appeal scheme. The raised patio would have a height of approximately 0.5m above the natural ground level with a set of steps to the centre to step down to the lower land level.
- 3.18 Internal alterations to the dwelling's layout are also proposed, the changes from the appeal scheme largely relate to the arrangement of the ground floor level with new internal partition walls.
- 3.19 The remainder of the proposal including spacing to the boundaries, footprint and overall scale and form remains largely consistent with the appeal scheme and 25/0186/FUL.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 National Grid – [No response received]

4.1.2 Batchworth Community Council – [First Comment 26 January] - BCC will defer this application until the next meeting. In the meantime request that the Planning Officer looks at what has been built at their next site visit and inform BCC of the outcome.

4.1.3 Batchworth Community Council – [Second Comment 10 February] The cumulative impact of the two-story side extension which is now closer to the boundaries of numbers 9 and 11 would subsume the form of the original dwelling, unacceptably eroding the character and appearance of the original dwelling and is detrimental to the character of the conservation area. The site coverage is now 22% and exceeds the acceptable plot coverage as stated in MP 58 CCA

BCC concurs with the comments made by Moor Park 1958 and strongly objects to this application. BCC would like to call this into committee unless officers are minded to refuse.

4.1.4 Moor Park 1958 Limited – The Directors of Moor Park (1958) Limited strongly object to the proposal as it now stands.

You will be aware we made a limited comments with respect to Application 24/1025/FUL and the subsequent applications for Variation of Condition relating to this, and also with respect to Application 24/1026/FUL, when it was submitted we noted that this constituted a two storey side extension, but that it contained the benefit of the flank wall of the existing attached garage being moved away from the boundary, creating greater space between the building and the boundary and between the buildings at No 11 and No 9 Pembroke Road and also reduced the built frontage. What has now happened is that the benefit of the single storey element being moved away from the boundary creating more space between the buildings and reducing the built frontage has not only not occurred but a two storey element has been built above it, creating a bulky construction close to the boundary between No 9 and No 11 and closing the first floor space which previously existed.

We are also aware that there has continuous increase in the site coverage of the building with applications to vary plans and with each application increasing the site coverage of the building. The extension has been pushed further and further into the garden of No 11, resulting in the construction of a raised patio also needing to be formed further into the rear garden. The site coverage now proposed is well in excess of the 15% set out in the MPCAA. We are sure you will have noted that in 2025 a Certificate of Lawful Development was granted for two buildings in the rear garden (one being an office and the other a shed). The site coverage of buildings now proposed for the site is now approximately 22%, well above the 15% set out in the MPCAA.

The original proposal for a two-storey side extension of lesser width than the existing single storey garage the subject of Application 24/1026/FUL contained the benefit of reducing the built frontage and increasing the space between the flank wall of the house at No 11 and both the boundary with No 9 and house at No 9. The current proposal contains no such benefit and results in a bulky appearance close to the boundary and detrimental to the character of the Conservation Area. This together with the excessive site coverage now proposed through continuous increases in the size of the proposed extension forms a development in breach of policy and accordingly should be refused.

4.1.5 Conservation Officer – [No Objection]

The application is for Part Retrospective: Demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance.

The property is in the Moor Park Conservation Area and prior to recent alterations was considered to make a positive contribution to its significance.

The current proposal follows several previous applications, including an application allowed at appeal under reference 24/0041/REF or APP/P1940/D/24/3355441. The heritage consultation response raised concerns over the scale and siting of those proposed extensions.

The two-storey side and rear extensions in the current application appear similar or identical to those allowed under the appeal scheme so there is no further heritage comments on these.

The depth and design of the single storey rear element is the same as in a separately approved scheme under reference 25/0186/FUL.

This would result in a slightly larger single storey rear extension than was included in the scheme allowed under planning appeal. However, as it is a single storey rear element and is only slightly larger, the difference in terms of impacts on the Conservation Area would be negligible.

In the context of the above, there is no heritage objection to the current proposal. This response has been made with regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

- 4.1.6 Officer Comment – Comments from Batchworth Community Council and Moor Park (1958) Limited are noted, to clarify the width of the two-storey side extension remains the same as that subject of application 24/1026/FUL which was refused by the LPA and subsequently allowed at appeal.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 6 No of responses received: 1 [1 Objection Received]

4.2.2 Site Notice Posted: 24.01.2026, Expired: 14.02.2026

4.2.3 Press Notice Published: 30.01.2026, Expired: 20.02.2026

4.2.4 Summary of Responses:

- Overdevelopment and proximity to the boundary – side extension too close to the boundary.
- Loss of privacy and overlooking – side facing windows should be obscure glazed and non-opening.
- Loss of light – height of the single storey rear extension significantly higher than expected and causing noticeable loss of light to house and garden.
- Rooflight design – lantern would add unnecessary height and bulk worsening impacts on neighbouring amenity.
- Privacy impacts from garden outbuildings

5 Reason for Delay

5.1 No Delay.

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.

Batchworth Neighbourhood Plan 2023 – 2028 (Submission Version). Relevant policies include: BW GB1 and BW DE1.

Other

Moor Park Conservation Area Appraisal (2006).

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

7 Planning Analysis

7.1 Overview

- 7.1.1 Planning permission 24/1025/FUL granted a part two storey, part single storey side/rear extension and raised rear patio. The ground floor extension had a depth beyond the main rear elevation of 4.5m, extending across the entire width of the property. The first floor had a depth of 4.5m. Application 24/1940/FUL included an increase to the depth at ground floor level to the outer parts of the rear extension only. Application 25/0186/FUL included an increase to the depth of the entire rear extension to a maximum of 6m. The footprint of the development sought by the current application is identical to that which would result from 25/0186/FUL but includes a first-floor side extension which was permitted at appeal under application 24/1026/FUL. The application site is currently being developed in accordance with the scheme allowed at appeal (24/1026/FUL) and the most recent variation of condition application 25/0186/FUL.
- 7.1.2 The proposal subject of this current application remains largely consistent with the appeal scheme in terms of its overall scale, form and design, with the notable exception of an increased depth to the ground floor rear projection. However, a ground floor rear extension of the same depth was permitted via application 25/0186/FUL. Other changes include the introduction of a porch canopy above the dwelling's main entrance which has not previously been approved. Alterations to external materials and internal alteration to the dwelling's layout are also proposed, in addition to alterations to the scale of the front and rear dormer windows and alterations to fenestrations and the raised rear patio, the depth of the raised rear patio is approximately 1.1m deeper than the appeal scheme.
- 7.1.3 This application in addition to the new elements mentioned above also seeks to regularise the development as implemented on site and to consolidate the approved position.

7.2 Design and Impact on the Host Dwelling, Street Scene and Conservation 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 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'.
- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 Appendix 2 of the DMP LDD sets out that with regards to single storey rear extensions generally the maximum depth should be 4m in the case of detached dwellings. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent. With regards to two storey rear extensions the guidelines set out that in terms of size and volume, each application will be assessed on its individual merits according to the characteristics of the particular property.
- 7.2.5 Appendix 2 of the DMP LDD sets out with regards to dormer windows that these 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. Front dormers may not

always be appropriate in the streetscene, and multiple dormers should be proportionate in scale and number to the host roof.

7.2.6 With regards to two storey side extensions these 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 this case, the Moor Park Conservation Area Appraisal sets out that a minimum of 1.5m spacing should be retained to flank boundaries. A 1.5m spacing would therefore be sought in this case.

7.2.7 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 Conservation Area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.

7.2.8 The adopted Moor Park Conservation Area Appraisal is also relevant to the assessment of this application and states the following:

‘The Council will give a high priority to retaining buildings which make a positive contribution to the character or appearance of a Conservation Area. As a guide, the Council will seek the retention of buildings on the estate erected up to 1958 when the original estate company was wound up.’

7.2.9 The Moor Park Conservation Area Appraisal also states that ‘buildings including all out buildings (garages, car ports etc) should not cover more than 15% of the plot area’, development should not occupy more than 80% of the frontage width of the plot and a minimum of 1.5m spacing should be retained to flank boundaries The Conservation Area Appraisal guidance is in order to retain the spacious nature and character of the estate and Conservation Area.

7.2.10 It is acknowledged that the plot width and plot coverage figures below differ from the previous applications, however these figures have been recalculated from the plans submitted under this current application and have been summarised in the table below.

	Pre-existing	Approved (Appeal Scheme)	Proposed (Current Application)	Proposed (including outbuildings permitted via 25/10832/CLPD)
Plot Width	87%	85.83%	85.83%	-
Plot Coverage	10.6%	15.2%	17.22%	20.7%

7.2.11 The pre-existing dwelling had a plot width coverage of approximately 87% which failed to comply with the appraisal requirements. It is acknowledged that the width in part was formed by the pre-existing single storey flat roof garage adjacent to No. 9 Pembroke Road which has since been demolished and replaced by the extensions subject of this application. The two-storey side extension which formed a part of the scheme allowed at appeal has a slightly lesser width than the pre-existing dwelling, this reduction in width results in a 1.17% reduction in plot width coverage relative to the pre-existing situation, with the resultant dwelling having a plot width coverage of 85.83%. The plot width coverage remains the same as the scheme allowed at appeal. The appraisal sets out that *‘where existing buildings covers 80% or more of the plot width at the building line, further extension towards the boundaries (or upwards) will not be permitted’*. At paragraph 14-21 of the appeal decision [APP/P1940/D/24/3355441], the Planning Inspectorate sets out the following in relation to the additional built form of the two-storey side projection:

'The proposed two-storey side extension would be set back from the front elevation and have its ridge set down, visually mirroring the existing extension on the opposite side of the property. The existing quoins on the front façade of No 11 would protrude past the proposed side extension which would distinguish the host property from the extension. In relation to the two-storey rear extension the ridges would be set down from the existing ridge and the single storey elements would have a flat roof. The proposed front and rear dormers would be small and with a flat roof design.

Based on the design of the extensions, they would be distinguishable and subordinate additions to the property which would not subsume No 11 when viewed either in isolation or as a collective. The positive architectural features of the property would still be apparent and continue to positively contribute to the property itself and the wider CA.

The proposed two-storey side extension would bring additional development at first-floor level closer to the boundary with No 9. However, due to the subordinate design of the extension, the spacious and open character and appearance of the plot and wider area would be retained.

Furthermore, due to the varied form of the properties within Pembroke Road and the wider CA, the introduction of symmetry to No 11 brought through the side extension, relocation of the front door and introduction of the window within the apex of the front gable would be in keeping with the character and appearance of the host property and wider area.

The CA Appraisal sets out design standards for development within the CA relating to separation, width and plot coverage. I note that there some disagreement between the parties whether the proposed development would comply with some of these standards.

The CA Appraisal explains these design standards are to maintain the open character of the estate and avoid the overdevelopment of plots. As I have found that the proposed development would achieve this, it is not necessary to forensically examine whether the proposal would exactly meet the design standards listed in the CA Appraisal.

For the reasons I have given, the proposed development would have a neutral effect on the character on the character and appearance of the CA. The proposal would also be in keeping with the character and appearance of No 11 and the area.

I therefore find that the proposal would preserve the character and appearance of the CA. The proposal would accord with the requirements of the LBCA and paragraph 212 of the National Planning Policy Framework (the Framework), which states that great weight should be given to the conservation of heritage assets. The proposal would comply with Policies CP1 and CP12 of the Three Rivers District Council Core Strategy Local Development Framework (2011) and Policies DM1 and DM3 of the Three Rivers District Council Development Management Policies Local Development Document (2013). These policies seek to ensure that development is sustainable and achieves a high standard of design along with preserving or enhancing the historic environment.'

- 7.2.12 Given that the two-storey side projection remains the same as the scheme allowed at appeal in terms of scale and footprint, it is not considered that this element, or the resultant plot width coverage, would result in demonstrable harm to the character or appearance of the host dwelling or streetscene given the spacing retained to the boundary and the set down from the ridge. In the context of the appeal decision, the current proposal would similarly preserve the character and appearance of the Conservation Area as set out within the appeal decision above.
- 7.2.13 The pre-existing dwelling had a plot coverage of approximately 10.6%, the scheme allowed at appeal had a plot coverage of approximately 15.2% and the development currently being implemented on site has a plot coverage of approximately 17.22%. It is also worth noting that there was a separate scheme approved via 24/1025/FUL where the plot coverage was

16.1%, exceeding the 15%. This scheme was subsequently varied via 24/1940/FUL which did not increase the overall plot coverage, this was then varied again via 25/0186/FUL which increased the total plot coverage to 16.5%.

- 7.2.14 It is therefore acknowledged that the total plot coverage would exceed the guidelines set out within the appraisal. However, it is also noted that a similar scale of development was permitted under the appeal scheme. The additional plot coverage in this case arises from the increased depth of the ground floor rear projection when compared to the appeal scheme. It is noted that the depth in isolation has been previously approved under the variation of condition application, LPA reference 25/0186/FUL. Given its single storey form, separation from the boundary and flat roof design it is not considered that this element would appear disproportionate or visually incongruous in the context of the host dwelling or streetscene. It is also important to acknowledge that the depth, assessed independently has been accepted as having an acceptable impact on the character and appearance of the host dwelling as well as preserving the character of the Conservation Area through the previous approval.
- 7.2.15 It is noted that concerns have been raised regarding the increased plot coverage arising from the outbuildings within the rear garden which have been implemented. These outbuildings were subject of approval via LPA reference 25/1083/CLPD. The appraisal indicates that all structures need to be considered and therefore, if the LPA were to include the outbuildings within the calculations this would increase the plot coverage to approximately 20.7%. Notwithstanding this, it is noted that the outbuildings benefit from approval under permitted development under planning reference 25/1083/CLPD, however it is not disputed that this built form increases the plot coverage on the site. They do however remain considerably set back from the adjacent highway and would not be readily visible from the Conservation Area. The purpose of the guidance is to retain the spacious nature and character of the estate and Conservation Area, despite the notable increase in plot coverage, it is not considered that the proposal would materially conflict with the aims and owing to their spacing to the boundaries and single storey form would not result in material harm to the spacious character of the Conservation Area. However, in the event permission were to be granted a condition removing permitted development rights under Class E would be considered appropriate to preserve any further increase in plot coverage, or additional built form which may disrupt the open and spacious character of the Conservation Area and ensure that the LPA has further control over development in this regard.
- 7.2.16 Having regard to the two-storey rear projection, the total depth and width remain the same as the appeal scheme and the previous approvals; it retains the hipped roof and would be set down from the ridge line of the dwelling and would therefore read as a subordinate addition. Thus, it is not considered that this element would appear incongruous or increase the prominence of the host dwelling to an unacceptable degree and would preserve the character of the host dwelling.
- 7.2.17 The proposed rear dormers remain largely in the same position as the appeal scheme, they are however approximately 0.15m deeper, 0.1m wider and 0.1m taller than approved. The front dormers as above remain sited in a similar position to the appeal scheme, would have the same width but would be approximately 0.2m less deep and less tall. The dormer windows despite the changes from the appeal scheme are considered to remain of a modest scale and remain set back from the eaves and down from the ridge, it is noted that the central rear dormer would adjoin the flank roofslope of the two story rear hipped projection by virtue of its increased width and height, However, in light of its modest scale and the context of the approvals, this element of the proposal is not considered to give rise to demonstrable harm to the character or appearance of the host dwelling or wider streetscene. There are also notable examples of front dormer windows within the streetscene such that the additions to the host dwelling would not appear unduly out of character and would preserve the character of the Conservation Area.

- 7.2.18 The relocation of the main entrance door to the existing front gable projection was previously refused via LPA reference 24/1026/FUL, this scheme was however subsequently allowed at appeal as mentioned above. This element of the proposal, including new windows within the ground floor front elevation and the circular window within the apex of the gable remain the same as the appeal scheme. Officers had previously raised concerns with this element and its cumulative impact with the two-storey side extension for the introduction of symmetry to the front elevation. The Planning Inspectorate in this regard gives weight to the varied form of properties within the streetscene on Pembroke Road and set out the following *'the introduction of symmetry to No 11 brought through the side extension, relocation of the front door and introduction of the window within the apex of the front gable would be in keeping with the character and appearance of the host property and wider area'*. Given that this element remains the same as the appeal scheme, it is not considered that this would give rise to demonstrable harm to the character or appearance of the host dwelling such to justify a refusal and the proposal would preserve the character of the Conservation Area.
- 7.2.19 Whilst some changes to fenestrations are proposed, the style and design of the windows would remain consistent with the style and appearance of the pre-existing windows as well as those approved via the appeal scheme. Thus, it is not considered that this would give rise to demonstrable harm to the character or appearance of the host dwelling, streetscene or wider conservation area.
- 7.2.20 The rooflights to the rear and flank roofslope of the two-storey rear hipped projection would be largely screened from view of the streetscene by virtue of their siting. Giving the limited number and that the remainder of the roof surrounding the rooflight would remain legible it is not considered that this would result in harm to the character or appearance of the host dwelling and it is noted that rooflights were approved in a similar location to those currently proposed with the exception that the rear rooflights are slightly smaller than approved further reducing their visual impact.
- 7.2.21 The raised rear patio would not be readily visible from the streetscene owing to its siting. The land levels drop to the rear of the site, and it is therefore considered that a platform would be necessary to facilitate access from the rear extension down to the level of the lawn. The patio remains set in from both boundaries and is not considered to be excessive in terms of its overall height. Thus, it is not considered that this would result in harm to the visual amenities of the streetscene or wider conservation area.
- 7.2.22 The proposed front porch canopy would be readily visible from the streetscene. It would however remain modest in scale and be pertained to the dwellings main entrance. Whilst this would introduce additional built form, it should be noted that the pre-existing dwelling benefited from a canopy over the dwellings main entrance. There is also variation within the streetscene in terms of front projections and on balance it is not considered that this element would increase the prominence of the dwelling to an unacceptable degree.
- 7.2.23 The dwelling is proposed to be finished in smooth render; this would be broken up by the existing brick detailing and quoins around the windows on the front elevation of the dwelling and the existing brick of the front gable projection. The pre-existing dwelling was white rendered, and it is therefore not considered that the proposed materials would appear unduly out of character and would be considered to preserve the character of the conservation area.
- 7.2.24 The internal alterations to the dwellings layout are not considered to result in demonstrable harm to the character or appearance of the host dwelling, streetscene or Conservation Area.
- 7.2.25 In summary, subject to conditions the proposed development would not result in any adverse harm to the character or appearance of the host dwelling or streetscene and would preserve the character of the 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), Policy BW DE1 of

the Batchworth Neighbourhood Plan 2023-2038 (Submission Version) and the Moor Park Conservation Area Appraisal (2006).

7.3 Impact on amenity of 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 of disposition of privacy, prospect, amenity and garden space'.
- 7.3.2 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.
- 7.3.3 Planning application reference 24/1026/FUL was refused by the LPA on grounds relating to impact on character. The application was subsequently allowed at appeal, as referenced in an earlier section of this report.
- 7.3.4 The previous scheme was not refused on the basis of its impact on neighbouring amenity and this matter was not identified as forming part of the reason for refusal. The development is currently being implemented on site and remains, in the main, consistent with the scheme approved at appeal. However, there are additional elements as set out in the earlier section of this report, which differ from the approved plans.
- 7.3.5 Given these changes, it is necessary to reassess the development in full, having regard to the approved appeal scheme and subsequent variation of condition applications also approved, as well as all other material considerations.
- 7.3.6 The two storey side extension has been erected adjacent to the boundary with No. 9 Pembroke Road, replacing the pre-existing garage projection. The built form has a reduced width compared to the former garage structure, thereby increasing the separation distance to the shared boundary with the neighbouring property. It is material to note that the scale and footprint of the extension remain consistent with the scheme previously allowed at appeal with the exception of the ground floor depth to the rear which will be discussed in turn below. In amenity terms, the two storey side extension introduces additional built form at the first floor level closer to the shared boundary than previously existed. Whilst spacing to the boundary has increased, the development does not achieve the 1.5m separation guideline referenced within the Conservation Area appraisal.
- 7.3.7 Notwithstanding this, the extension remains set down from the ridge line of the host dwelling and does not project beyond the rear building line of this neighbouring dwelling. Furthermore, the neighbouring dwelling is positioned further from the shared boundary. Thus, it is not considered that the development gives rise to an overbearing form of development or materially harmful loss of light to the occupiers of this neighbouring dwelling.
- 7.3.8 With regard to privacy, it is acknowledged that the side extension includes window openings closer to the boundary both within the front, side and rear elevation. Whilst this introduces potential for additional overlooking, the orientation of the windows means they predominantly afford views across the frontage of the application site and private rear amenity space. Any oblique views towards the neighbouring rear garden are considered to be limited and are not considered to result in a materially harmful loss of privacy beyond the extent of the pre-existing situation. In the event permission were to be granted, a condition would be added to the first-floor flank window requiring that this be fitted with obscured glazing to limit unacceptable overlooking of this neighbour, the flank windows in relation to the neighbour at No. 9 remain the same as the appeal scheme.

- 7.3.9 Turning to the part single, part two storey rear extension, the first floor element has been constructed in accordance with the appeal scheme in terms of its depth, width and height. In respect of the ground floor element, it is acknowledged that the depth as constructed extends approximately 1.5m beyond that shown on the appeal scheme. However, separate to the appeal scheme, planning permission was previously granted for rear extensions (excluding the two-storey side extension) under reference 24/1025/FUL. That permission was subsequently varied under a Section 73 application under reference 25/0186/FUL, through which the deeper ground floor rear footprint was approved by the local planning authority. In determining the Section 73 application, officers acknowledged that the depth exceeded the design criteria at Appendix 2. Notwithstanding this, it was accepted on the basis of its single storey form, flat roof design and separation maintained to the flank boundaries. It is also material that the ground floor rear projection approved at appeal already exceeded the relevant design criteria in terms of depth, and was similarly considered acceptable on amenity grounds having regard to its scale, siting and relationship to neighbouring properties.
- 7.3.10 The overall width and height remain consistent with the appeal scheme. Given the retention of the flat roof design, the separation to the boundaries and the absence of any increase in height it is not considered that the development to the rear gives rise to an overbearing form of development or materially harmful loss of light to the occupiers of either neighbouring dwelling.
- 7.3.11 The fenestrations within the rear elevation of the dwelling, at both ground and first floor level are not considered to increase overlooking of neighbouring properties beyond that of the existing situation. While there are minor changes to the proportions and number of windows, most notably a slight reduction in first floor windows and alterations to the ground floor glazing these are not considered to result in additional harm to privacy.
- 7.3.12 The first-floor flank window adjacent to No. 13 serves a habitable room (Bedroom 3). It is noted that this window is a secondary window to this bedroom and therefore given the siting of the window at first floor a condition would be added to any grant of permission to ensure this window is fitted with obscure glazing and fixed shut 1.7m above the finished floor level of the room it serves to prevent additional overlooking of this neighbour.
- 7.3.13 The front dormers have been constructed at a slightly reduced scale to the appeal scheme. These were previously considered acceptable, given that the outlook would predominantly be over the site frontage, coupled with their limited overall scale and number. As such, it is not considered that these result in unacceptable overlooking of neighbouring properties.
- 7.3.14 The rear dormer windows would predominantly overlook the applications sites rear amenity space. Given their siting at the second-floor level, some views may extend towards the rear gardens of neighbouring properties. While the scale of the rear dormers has slightly increased compared to the scheme allowed at appeal, the number of windows at this level remains unchanged. For the reasons set out above, these alterations are not considered to give rise to materially harmful overlooking of either neighbour.
- 7.3.15 The rear rooflights would predominantly overlook the application sites rear amenity space, given their positioning at second floor level it is considered that some views may be afforded towards the rear gardens of both No. 9 and No. 13. Given their positioning within the roofslope it is not considered that this would give rise to unacceptable levels of overlooking of either neighbour such to justify the refusal of permission in this regard and it should be noted that their scale is reduced from the appeal scheme. The flank rooflights within the rear hipped projections would face inward, into the central valley and as such are not considered to result in additional overlooking of any neighbour.
- 7.3.16 The relocation of the main entrance within the existing central gable is not considered to give rise to any harm to the residential amenities of the occupiers of any neighbouring dwelling beyond that of the existing situation. The new fenestration at ground floor that

would replace the existing entrance would predominantly overlook the application sites frontage and are not considered to increase overlooking of any neighbour beyond that of the existing situation. It is acknowledged that a new circular window is proposed within the apex of the central gable at second floor level. Given the positioning of the window it is considered that this would largely overlook the site frontage, this window would serve the stairwell and given the separation of the highway is not considered to result in unacceptable overlooking of any neighbour such to justify refusal of permission in this regard. It should also be noted that this element of the proposal remains consistent with the appeal scheme with the exception of the front porch canopy, which given its modest scale and projection is not considered to result in any harm to neighbouring amenity.

- 7.3.17 The raised patio would replace the pre-existing raised patio and would extend only in line with the flank walls of the resultant dwelling, While a raised patio of the same width was consented under the appeal scheme, the depth of the patio is approximately 1.1m deeper than approved. Therefore, sits deeper into the site where land level differences are greater. Given its deeper projection, despite the separation from the shared boundaries it is considered that this could increase both perceived and actual overlooking of neighbouring properties. Therefore, in the event permission were to be granted a condition would be added requiring the installation of a privacy screen to both edges of the patio for its full depth at a height of 1.8m above the patio level, to prevent unacceptable overlooking of both neighbouring dwellings.
- 7.3.18 Overall, having regard to the appeal approved scheme and the separate extant permission for the deeper rear projection, the development as constructed is not considered to result in unacceptable harm to the neighbouring residential amenity as set out above.
- 7.3.19 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.

7.4 Wildlife and Biodiversity

- 7.4.1 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.
- 7.4.2 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.
- 7.4.3 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.

7.5 Mandatory Biodiversity Net Gain

- 7.5.1 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).

7.5.2 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.

7.5.3 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 relates to householder development.

7.6 Trees and Landscaping

7.6.1 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.

7.6.2 The application site is located within the Moor Park Conservation Area, whilst there are no trees within the site with an individual tree protection order on them, all trees would be afforded protection by way of the Conservation Area designation. It is noted that a number of trees have been removed from the application site during the implementation of the development, notably on the boundary with No. 13 Pembroke Road. The removal of the trees from the site benefit from separate tree works consent via 23/1137/TCA which granted the following works:

T1 – Cypress – Fell and remove stump

T2 – Cypress – Fell and remove stump

T3 – Yew – Fell and remove stump

G4 – Thuja plicata x 11 – Fell and remove stump

T5 – Apple – Fell and remove stump

7.6.3 It is not considered that any works beyond those consented have been carried out on site and the application form declares that no trees or hedges will need to be removed or pruned in order to carry out the development. The proposal is therefore considered acceptable in this regard.

7.7 Rear amenity

7.7.1 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.

7.7.2 The proposed development would increase the number of bedrooms within the dwelling by two, resulting in a seven-bedroom dwelling. Appendix 2 of the DMP LDD sets out that a 7-bedroom dwelling would require 168sqm of rear amenity space. The application site would retain approximately 854sqm of rear amenity space which would comply with the above and be considered sufficient for a dwelling of this size. The proposal is considered acceptable in this regard.

7.8 Highways, Access and Parking

7.8.1 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.

7.8.2 The proposed development would increase the number of bedrooms within the dwelling by two, resulting in a seven-bedroom dwelling. Appendix 5 of the DMP LDD sets out that a four or more-bedroom dwelling would require 3 assigned spaces within the dwelling's curtilage. Whilst the number of bedrooms would increase there would be no increased requirement for parking given that the existing dwelling has 5 bedrooms and already requires 3 spaces. In any case, the dwelling would retain sufficient space within the frontage to accommodate 3 vehicles and is therefore considered acceptable in this regard.

7.9 Permitted Development Removal

7.9.1 To ensure adequate planning control over further development having regard to the limitations of the site and in the interests of the visual amenities of the site and wider area it was considered appropriate to remove the following classes of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification).

Part 1

Class E - buildings etc incidental to the enjoyment of a dwellinghouse

7.9.2 It is considered appropriate, reasonable and necessary to remove Permitted Development rights to avoid a further incremental increase in plot coverage and erosion of the spacious character of the Conservation Area.

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: 6043 011 (Pre Existing Floor Plans), 6043 020 (Pre Existing Elevations), 6043 310 A (Pre Existing & Proposed Site Plan), 6043 311 REV B (Proposed Floor Plans), 6043 310 (Pre Existing and Proposed Block Plan), 6043 312 REV F (Amended Proposed Elevations), TRDC01 (Location Plan)

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM9 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013), Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version) and the Moor Park Conservation Area Appraisal (2006).

- C3 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 6043 312 REV F 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).

- C4 Before the first occupation of the building/extension hereby permitted the window(s) in the first-floor side elevations adjacent to No. 9 and 13 Pembroke Road shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

- 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).

- C6 The flat roof of the single storey rear projection hereby permitted, shall not be used as a raised terrace/balcony for amenity purposes at any time and shall only be accessed for maintenance purposes.

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 Immediately following the implementation of this permission, 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 development within the following Classes of Schedule 2 of the Order shall take place to the application dwelling or within its curtilage:

Part 1

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

No development of the above class shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities

of the site and character 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), Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version) and the Moor Park Conservation Area Appraisal (2006).

- C8 Prior to the first use of the raised patio hereby permitted, 1.8m high (from patio floor level) privacy screens shall be erected to both sides of the patio for its full depth of 5m 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).

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 development 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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26/0041/RSP – 11 Pembroke Road – Site Photos



Figure 1: July 2024 Pre-existing rear elevation



Figure 2: July 2024 Pre-existing Front Elevation



Figure 4: February 2026 - Front Elevation



Figure 3: February 2026 - Rear Elevation



Figure 5: February 2026 - Outbuildings permitted via 25/1083/CLPD

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PLANNING COMMITTEE – Tuesday 31 March 2026

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

Parish: Croxley Green Parish Council

Ward: Dickinsons

Expiry of Statutory Period: 03.04.2026 (Agreed Extension)

Case Officer: Lilly Varnham

Recommendation: That Part Retrospective PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee: Called in by Parish Council for the reason set out at 4.1.2 below.

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

[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 | 9 The Crescent Croxley Green Rickmansworth Hertfordshire WD3 3DU](#)

1 Relevant Planning and Enforcement History

- 1.1 25/1620/CLPD - Certificate of Lawfulness Proposed Development: Loft conversion including hip to gable roof extension with rear dormer and front rooflight; Demolition of existing outbuilding and erection of outbuilding – Permitted. Loft works currently being implemented.

2 Description of Application Site

- 2.1 The application site is located on The Crescent, Croxley Green. The Crescent is characterised by a number of semi-detached properties of similar architectural style and design, some of which appear to have been extended or altered.
- 2.2 The application dwelling is a two-storey semi-detached dwelling, sited on the south western side of The Crescent. The existing dwelling has a dark tiled hipped roof and an exterior finish consisting of pebbledash render and brown brick. The dwelling does not appear to have been previously extended; however, a pre-existing detached garage to the side of the site has recently been demolished and at the time of the officer site visit it was noted that the loft works subject of 25/1620/CLPD were being implemented on site.
- 2.3 To the front of the dwelling is an of hardstanding and to the rear is an amenity garden predominantly laid as lawn.
- 2.4 The adjoining neighbour at No. 10 is also a two-storey semi-detached dwelling, this neighbour benefits from an existing single storey side extension. The neighbour to the north is No. 8, also a two-storey semi-detached dwelling, this neighbour benefits from a single storey side and rear extension and a detached outbuilding.
- 2.5 The rear boundary of the application site adjoins the Dickinson Square Conservation Area.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for the construction of a two storey side extension, loft conversion including hip to gable extension, rear dormer and front/rear rooflights.

- 3.2 The proposal includes a loft conversion to the main dwelling, facilitated by a hip to gable extension, rear dormer window and a front rooflight. The dormer would have a total depth of approximately 3.5m and a width of approximately 5.4m. The dormer would have a flat roof with a total height of approximately 2.5m. Two windows are proposed within the rear elevation of the dormer. One rooflight is proposed within the front roofslope of the dwelling. It is noted that this work is currently being implemented at the application site and benefits from a lawful development certificate (25/1620/CLPD). 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.
- 3.3 The proposed two storey side extension would remain 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.
- 3.4 The extension would be minimally set down (0.2m) from the ridge line of the dwelling at 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.
- 3.5 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.
- 3.6 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.

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 Public/Neighbour Consultation

4.2.1 Number consulted: 13

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

4.2.3 Site Notice Posted: 29.01.2026, Expired: 19.02.2026

4.2.4 Press Notice Published: 06.02.2026, Expired: 27.02.2026

4.2.5 Summary of Responses:

Neutral Comment:

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

Objection(s):

- 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.

4.3 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 are of the view that the works currently being implemented on site are being lawfully implemented. They have however 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 No delay.

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 loft conversion, incorporating the hip to gable extension and rear dormer window currently being implemented on site has been found to be lawful under Lawful Development Certificate reference 25/1620/CLPD.
- 7.1.7 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 proposed hip to gable roof form is considered to be an acceptable addition to the street scene that would not result in any 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. However, it is acknowledged that the dormer benefits from deemed planning permission and this provides a valid fallback position in the context of the application site, and accordingly would be given significant weight. As such, the lawful development certificate 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, and as above, an identical dormer window has been found to be lawful, it is not considered that the dormer would result in such demonstrable harm to warrant refusal of planning permission. The material circumstances in respect of the lawful development certificate would outweigh any adverse visual impact caused. In the event permission were refused, the dormer would still be constructed as it benefits from planning permission by virtue of the General Permitted Development Order.
- 7.1.9 As above, the proposed development includes an additional roof volume associated with the roof of the two-storey side extension of approximately 9.78m³. When considered alongside the 40.1m³ of the roof enlargement previously approved (hip to gable and rear dormer) under a Lawful Development Certificate, the cumulative volume of roof additions would amount to approximately 49.88m³. In this context, officers consider that the dwelling has effectively 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 proposed two storey side extension would remain 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.
- 7.1.11 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.

- 7.1.12 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.
- 7.1.13 In addition to the above, the extension would be constructed in materials to match the existing dwelling which would further retain its character.
- 7.1.14 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 verbally 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.
- 7.1.15 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 pending application via LPA reference 26/0126/FUL for a part single, part two storey side extension. This application has not been determined and therefore weight cannot be attached to this. In any case, whilst the proposed rear dormer would add bulk at roof level adjacent to the boundary with this neighbour its height and siting are such that it would not appear overbearing or visually intrusive. Officers also acknowledge that this is currently being lawfully implemented on site in accordance with the Lawful Development Certificate approved under reference

25/1620/CLPD which is considered material to this assessment. 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. As above the application site benefits from a lawful development certificate for the hip to gable extension and rear dormer. 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 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, 0126-03 A

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 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 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).

C4 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 2: February 2026 Rear Elevation



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