
PLANNING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Wednesday, 28 October 2026 at 7.30 pm in the Penn Chamber, Three Rivers House, Northway, Rickmansworth WD3 1RL.

Members of the Planning Committee:-

Councillors:

Chris Whately-Smith (Chair)
Oliver Cooper
Stephen Cox
Raj Khiroya
Chris Mitchell

Elinor Gazzard (Vice-Chair)
Debbie Morris
Reena Ranger OBE
Tom Smith

*Joanne Wagstaffe, Chief Executive
Friday, 23 October 2026*

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

For those wishing to speak:

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

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

For those wishing to observe:

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

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

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

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

1. Apologies for Absence

2. Declarations of Interest

To receive any declarations of interest.

3. 26/1253/FUL - Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 Marlin Square, Abbots Langley, Hertfordshire WD5 0EG (Pages 5 - 18)

Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 Marlin Square, Abbots Langley.

Recommendation: that planning permission be refused.

4. 26/1263/RSP – Part retrospective: Conversion of garage into habitable accommodation; alterations to the fenestration and alterations to driveway at 17 Edson Close, Leavesden, Watford, Hertfordshire WD25 7BX (Pages 19 - 34)

Part retrospective: conversion of garage into habitable accommodation; alterations to the fenestration and alterations to driveway at 17 Edson Close, Leavesden.

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

5. 26/1321/RSP - Part retrospective: Construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation at 10 Hyde Lane, Nash Mills, Hemel Hempstead, Hertfordshire HP3 8RY (Pages 35 - 52)

Part retrospective: construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation. 10 Hyde Lane, Nash Mills, Hemel Hempstead.

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

6. 26/1359/FUL - Construction of single-storey rear extension, air source heat pump; alterations to landscaping including demolition of outbuilding; internal alterations at 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN (Pages 53 - 66)

Construction of single-storey rear extension, air source heat pump; alterations to landscaping including demolition of outbuilding; internal alterations at 36 Girton Way, Croxley Green, Rickmansworth.

Recommendation: that planning permission be granted subject to conditions.

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 – Thursday 22 October 2026

26/1253/FUL - Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 MARLIN SQUARE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0EG

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 29.09.2026
Extension of Time Agreed: 30.10.2026

Ward: Abbots Langley and Bedmond
Case Officer: Danielle Kavanagh

Development Type: Householder development.

Recommendation: That planning permission be refused.

Reason for consideration by the Committee: The agent for the application is a District Councillor.

To view all documents forming part of this application, please go to the following website:
[26/1253/FUL - Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 MARLIN SQUARE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0EG](#)

1 Relevant Planning and Enforcement History

- 1.1 26/0692/FUL - Removal of single storey front extension and, construction of single storey side/rear extension, removal of chimneys; alteration to fenestration including relocation of entrance door, external materials including render - 15.07.2026 - Withdrawn

2 Description of Application Site

- 2.1 The application site is located on the eastern side of Marlin Square, Abbots Langley.
- 2.2 The site contains a two-storey, semi detached dwelling with a pebble dash exterior and a gabled roof form finished in grey slate. The host dwelling has a single storey front projection which houses a front bay window and a porch. This front projection is mirrored on the attached neighbour. To the rear of the dwelling is an existing two storey rear projection and a single storey rear extension, which does not extend across the full width of the host dwelling. A patio extends to the side and rear of the existing dwelling along with a garden area laid to lawn, enclosed by close boarded fencing and hedging. The host dwelling has a shared pedestrian access to the southern flank. Land levels fall from the front to the rear of the site.
- 2.3 The host dwelling does not have any assigned on-site parking.
- 2.4 The attached semi-detached neighbour sited to the north of the host dwelling is No. 40 Marlin Square. This dwelling has been extended at the rear to a similar depth as the existing single storey rear extension at the host dwelling. The boundary between the dwellings is marked by a high evergreen type hedge, and fencing towards the rear of the site.
- 2.5 The neighbour to the south of the host dwelling No. 46 Marlin Square, is a semi detached dwelling. This neighbour is separated from the host dwelling by a shared accessway which is approximately 2m wide. This neighbouring dwelling is set on a similar building line to the host dwelling, and has been extended to the rear.

3 Description of Proposed Development

- 3.1 This application seeks planning permission for the construction of a single-storey side and rear extension, removal of chimney stacks, alterations to the fenestration, and construction of a patio.

- 3.2 The existing original front projection, which serves a bay window, has been infilled to provide an enclosed porch forward of the front door. As part of the current application, the front door would be replaced with a window, with the remaining opening infilled with a replacement wall, flush with the front elevation of the porch.
- 3.3 The existing single-storey rear extension would also be demolished. The proposed single-storey side/rear extension would wrap around the existing two-storey rear projection and extend approximately 1.1m beyond the existing flank building line, extending to the full 5m width of the site, up to the neighbouring boundaries. The extension would have a stepped depth, 8.8m deep when measured from the existing two-storey rear projection, and 11.6m deep when measured from the southern flank. The roof form would be hipped and surrounded by a parapet wall, with a maximum height of 3.4m, reducing to 2.7m at the parapet. 8 roof lights are proposed for the roof slopes of the proposed extension. A set of bifold doors is proposed for the rear of the extension. The external finish of the side and rear extension is proposed to be smooth render.
- 3.4 The principal entrance to the host dwelling would be relocated from the front of the dwelling to the front of the side/rear extension. In the southern elevation, a first-floor flank window would be removed, and a ground-floor flank window would be added to the same elevation.
- 3.5 A patio is proposed to the rear of the extension, which would measure 3.1m deep. The plans suggest it would not be a raised patio but do not appear to account for the land levels change through the site.
- 3.6 Two chimneys are proposed to be removed as part of the proposal.
- 3.7 Requests were made during the course of the application for the rear extension to be reduced to a depth that extended no more than 3.6m beyond the rear elevation of the neighbour to the north, and for the extension to be reduced in depth and set off the shared boundary with the neighbour to the south and a fence line maintained. Amendments were not forthcoming; however, the agent for the application provided an illustrative drawing demonstrating an alternative permitted development fallback position as a justification for the proposed scheme. This position is analysed in paragraph 7.8 'Other material considerations' of this report.

4 Statutory Consultation

4.1 National Grid: [No response received]

4.2 Abbots Langley Parish Council: [Comment received]

Members acknowledge the reduction in size in the revised plans and the neighbours' concerns over perceived overbearing nature of the proposed development. Members have no further comment.

4.3 **Public/Neighbour Consultation**

4.4 **Site notice displayed:** 11.08.2026, expires 02.09.2026

4.5 **Press notice published:** Not Required

4.6 Neighbours consulted: 6

4.7 Responses received: 1 [objection]

Summary of objection:

- The proposed extension is considered excessive compared with neighbouring extensions.

- Its size, proximity and apparent height (up to approximately 3.7m due to falling ground levels) could create an enclosed and dominant effect.
- Concerns include potential overshadowing of neighbouring gardens and habitable rooms, and reduced enjoyment of the rear garden.
- The extension is considered disproportionate and out of keeping with the established character and scale of Marlin Square.

5 Reason for Delay

5.1 The committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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 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 DM6, DM8, DM9, DM13 and Appendix 5.

Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026). Relevant policies include AL3 and AL4.

6.3 Other

In August 2026 the NPPF was updated. Relevant policies include: DP3 and P3

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is at consultation stage, they are

not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant Policies include SP2, BGL1, TC2 and Appendices 1 and 3.

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

7 Planning Analysis

7.1 Impact on the character and appearance of the host building and streetscene

- 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'.
- 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 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.
- 7.1.4 Policy AL3 of the Abbots Langley Neighbourhood Plan (March 2026) states that all new development should reflect the character of the Character Area in which they are located. Policy AL4 further states that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.
- 7.1.5 Policy DP3 (3) of the NPPF 2026 sets out that development proposals should be refused if, without clear justification, they conflict with Policy DP3 paragraph 1 of the NPPF 2026 which sets out that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.
- 7.1.6 Appendix 2 of the DMP LDD sets out that with regard to single-storey rear extensions, generally the maximum depth should be 3.6m in the case of semi-detached dwellings. The proposed rear extension would have a maximum depth of 11.6m, reducing to 8.8m from the original rear elevation of the dwelling, which exceeds the guidelines set out within Appendix 2 of the DMP LDD. In addition, a 3.1m patio is proposed to be set up to the rear of the proposed extension. The proposed rear extension would exceed the guidance by a significant margin. Whilst recognising that the extension would appear disproportionate in scale to the host dwelling, by virtue of its siting and single storey nature, it is not considered to be harmful to the character of the dwelling and wider area.
- 7.1.7 The two chimneys on the host dwelling's roof are proposed to be removed. It is considered that the chimneys contribute positively to the character and appearance of the dwelling and streetscene. However, it is accepted that the removal of these chimneys could likely be carried out under permitted development, and as such, there is no objection to their removal, recognising that other chimneys have been removed within the vicinity.
- 7.1.8 Fenestration changes are proposed. The existing front door in the front porch would be replaced by a window, and the front door would be relocated to the front elevation of the side/rear extension. In the southern flank elevation, a first-floor window would be removed.

And a ground-floor window was added. There are no objections to these elements of the scheme from a character and streetscene perspective.

- 7.1.9 In summary, while the extension would be disproportionate to the host dwelling, it is not considered that the proposed single storey side/rear extension would have an unacceptably harmful impact on the character of the dwelling and area, and would be acceptable with regard to Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013), Policy DP3 (3) of the NPPF 2026, and Policies AL3 and AL4 of the Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026).

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 Policy P3 (2)(b) of the NPPF 2026 sets out that development should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers.
- 7.2.4 As set out above, the proposed single storey side / rear extension would have a maximum depth of 11.6m, reducing to 8.8m from the original rear projection of the dwelling, which exceeds the guideline of 3.6m depth for semi-detached dwellings, set out within Appendix 2 of the DMP LDD. The proposed rear extension would extend past the extended rear elevation of the attached neighbour No. 40 by approximately 5.9m. The extension would be positioned directly adjacent to the shared boundary, with a height of 2.7m. This depth of the extension past the existing rear building line of No. 40 is considered to result in an excessively overbearing, intrusive and un-neighbourly form of development, which would have a harmful impact on neighbouring amenity when viewed from the rear amenity area and rear facing windows at this neighbouring property. Additionally, when considering the orientation of the sun, the sheer depth of the extension would have a harmful impact on the level of resultant light received including overshadowing the garden, thus adversely affecting the residential amenity of the occupants of No. 40. The existing hedge which marks the boundary line between the host dwelling and this neighbour would be removed to facilitate the proposed extension. It is noted that the existing hedge is tall, and that it is likely that the hedge is having some impact on the light of this neighbour, as the sun moves around the site during the day. However, it must be noted that the hedge could be trimmed or removed and replaced with a different type of boundary treatment. Therefore, the existing situation is not comparable to an 8.5m deep 2.7m high wall set up to the shared boundary, which would visually have a greater impact.
- 7.2.5 The proposed rear extension would extend past the single-storey rear extension of No. 46 by approximately 9m, and it would be set up to the shared boundary with this neighbour. This neighbour is set off the shared boundary by approximately 1m. The proposed rear extension would bring the built form closer to this neighbour; the existing rear projection and extension at the host dwelling are set off the shared boundary by approximately 2m. The proposed extension would be set up to the shared boundary for a total depth of 11.7m, with a height of 2.7m which is considered to result in an overbearing, overly deep form of development adjacent to the shared boundary. It is noted that as No. 46 is sited to the south of the host dwelling, the proposal is unlikely to have an impact on the light as experienced by the occupants of the neighbouring dwelling. Notwithstanding this the extension is not considered to be an acceptable form of development with regard to its impact on the

amenities of the occupants of the neighbouring dwelling, No. 46, through its excessive depth which would create an un-neighbourly, intrusive and prominent form of development.

- 7.2.6 In terms of overlooking the proposed bi-fold doors in the rear elevation of the host dwelling are not considered to result in any additional overlooking of neighbours, as the doors would overlook the dwelling's own rear amenity space. It is not considered that the proposed 8 roof lights in the rear extension would result in any overlooking of neighbours due to their position high in the roof slope. These elements of the proposal are acceptable with regard to their potential for overlooking of neighbouring properties.
- 7.2.7 A 3.1m deep patio is proposed to the rear of the single-storey rear extension. The land levels fall from the front to rear across the site. As the patio is not shown on the side elevation drawings, its height is unknown, and therefore, the impact of a potential 3m deep raised patio on neighbouring and overlooking properties cannot be fully assessed.
- 7.2.8 The proposed fenestration changes including the relocation of the front door and the addition of a ground floor flank window facing No. 46 are not considered to impact residential amenity or result in increased overlooking. The window would be high-level and serve a bathroom.
- 7.2.9 In summary, the proposed development would result in an adverse impact on the neighbouring dwellings, and the development would not be in accordance with Policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies LDD and Policy P3 (2)(b) of the NPPF 2026

7.3 Highways and parking provision

- 7.3.1 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.
- 7.3.2 The proposed extension would not result in any additional bedrooms. It is noted that there is no assigned parking at the application site. As the existing 2-space parking shortfall would be maintained, the parking arrangement for the host dwelling would not be impacted and is acceptable in this regard.

7.4 Wildlife considerations

- 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 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 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 proposed development would encroach on the dwelling's rear amenity space with 80 sqm (16.5 m-long) usable garden space retained. This would represent a negligible shortfall of 4 sqm compared with the Appendix 2 guidance for amenity space, which states that a three-bedroom dwelling should have 84 sqm of amenity space.
- 7.6.3 This shortfall in isolation is considered sufficient, as the resultant amenity area would still meet the everyday needs of the future occupants. Additionally, the site is within walking distance to local green space by way of Manor House Recreation Ground.
- 7.7 Trees and landscape
- 7.7.1 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.
- 7.7.2 The agent confirmed that the hedge along the northern rear flank boundary would be removed to facilitate the proposal. The hedge is not protected, and there would be no objection to the removal of this hedge.
- 7.8 Other material considerations
- 7.8.1 In assessing the impact of the proposed development, consideration is given to a fallback scheme comprising a reduced depth single-storey rear extension and a detached outbuilding measuring 2.5m in height, positioned up to the shared boundary with the neighbouring property to the north. The fallback would need to represent a realistic prospect of implementation and comply with the relevant permitted development rights. It is noted that there is no Certificate of Lawful Development to confirm that such a fallback position would be lawful if implemented. Planning permission would likely still be required for the rear extension to the dwelling.
- 7.8.2 In amenity terms, the outbuilding could result in some enclosure and affect the outlook at the garden level. However, its lower height at 2.5m would likely reduce its overbearing effect compared with the proposed extension, which is 2.7m high on the boundary, rising to 3.4m high.
- 7.8.3 The suggested fallback position can be given weight only where there is a realistic prospect of implementation and the relevant permitted development limitations would be met. A detached outbuilding within 2m of a boundary is generally limited to a maximum overall height of 2.5m, subject to other applicable restrictions. It is accepted that an outbuilding

could be erected in the rear garden, in a similar location to the proposed extension. However, as shown on the indicative plan, the fallback would be lower than the highest point of the proposed extension and would not extend to the shared boundary to the south. Accordingly, the fallback development would be likely to result in less harm to neighbouring residential amenity and would have a less significant impact on the character and appearance of the host dwelling than the proposed development.

- 7.8.4 Overall, while there is a reasonable possibility that such an outbuilding could be constructed under permitted development, the fallback position would, in theory, be a betterment compared to the proposed scheme, and therefore does not justify the granting of planning permission for the scheme as proposed.

8 Recommendation

- 8.1 That PLANNING PERMISSION BE REFUSED for the following reason:

- R1 The proposed single storey side/ rear extension by virtue of its significant depth, height and proximity to the plot boundaries, would result in an overbearing and visually intrusive form of development to the detriment of the amenities of the occupants of adjacent neighbouring properties (No. 40 and 46 Marlin Square). Additionally, by virtue of the depth of the extension it is considered that the extension would result in an unacceptable loss of light to No 40 Marlin Square, adversely affecting the occupants' enjoyment of their property. Therefore, the proposed single storey side/ rear extension would be contrary 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), Policy AL4 of the Abbots Langley Neighbourhood Plan 2026-2041 (March 2026 version) and Policies P3 (2)(b) and DP3(3) of the NPPF 2026.

Informative:

- I1 The Local Planning Authority has been positive and proactive in considering 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 encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant and/or their agent did not have formal pre-application discussions with the Local Planning Authority and the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

42 Marlin Square

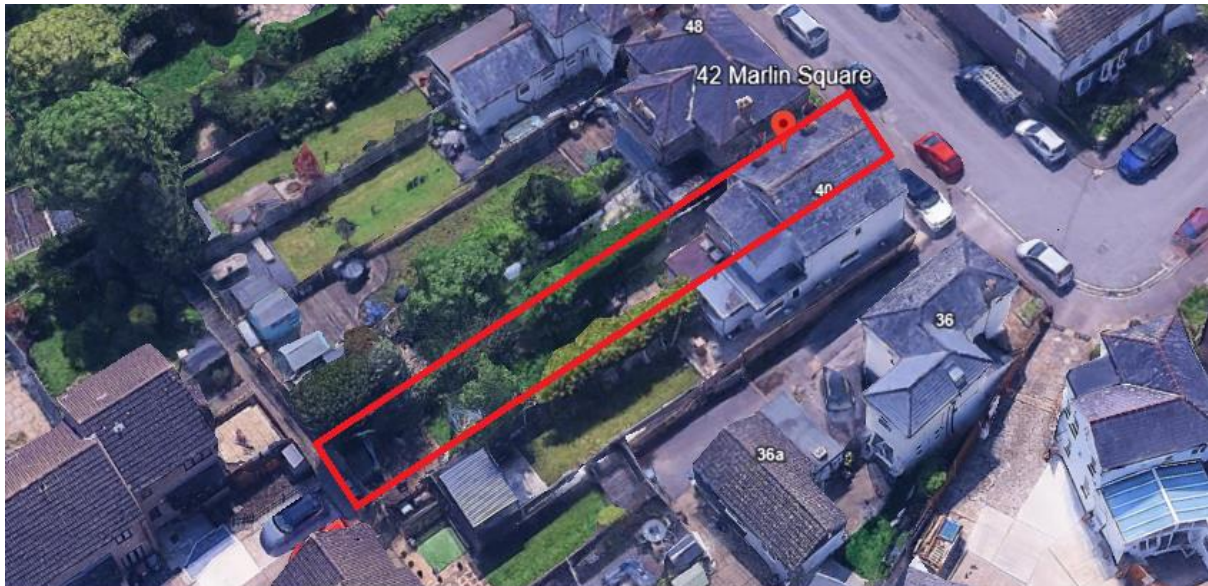
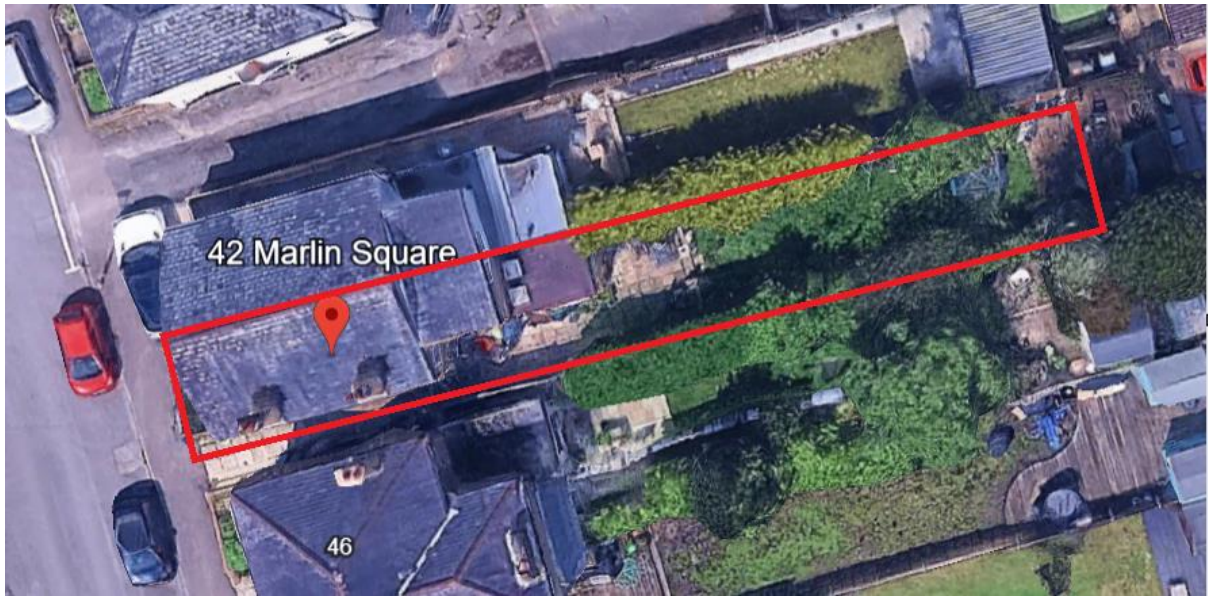












PLANNING COMMITTEE – Thursday 22 October 2026

26/1263/RSP – Part retrospective: Conversion of garage into habitable accommodation; alterations to the fenestration and alterations to driveway at 17 Edson Close, Leavesden, Watford, Hertfordshire WD25 7BX

Parish: Abbots Langley

Ward: Leavesden

Expiry of Statutory Period: 29 October 2026

Case Officer: Danielle Kavanagh

Development Type: Householder development

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

Reason for consideration by the Committee: The application was called in by Abbots Langley Parish Council due to concerns regarding parking, character and amenity and intensification of use.

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

[26/1263/RSP 17 Edson Close Leavesden Watford Hertfordshire WD25 7BX](#)

1 Relevant Planning and Enforcement History

- 1.1 26/0063/COMP – Enforcement investigation: Unauthorised conversion of garage into habitable accommodation.
- 1.2 26/0448/CLPD - Certificate of Lawfulness Proposed Development: Conversion of garage into habitable accommodation - 22.04.2026, Application Withdrawn
- 1.3 05/0534/FUL - Erection of 33 dwellings comprising 2-bed flats, 3 and 4-bed houses with public open space and associated access, parking and landscaping - 15.06.2006, Application Permitted

2 Description of Application Site

- 2.1 The application site fronts onto Edson Close, a residential development of detached, semi-detached, terraced and flatted dwellings.
- 2.2 The application dwelling is a three-storey mid terraced dwelling within a row of four matching town houses. In their original form, each terrace benefitted from an integral garage; however, the garage at the host property has recently been converted to habitable accommodation (subject to this application). The dwelling is currently in use as a small House of Multiple Occupation (HMO) which falls within Use Class C4 and would benefit from deemed planning permission.
- 2.3 To the front of the host dwelling there is an existing area of hardstanding which can accommodate a single off-street parking space. There is a strip of soft landscaping adjacent to the parking space. There is no boundary treatment to the front of the site separating the properties.
- 2.4 Other dwellings in the vicinity of the site are of differing design but are finished in similar materials. Whilst many had integral garages, some have been converted (such as at No. 11 and No. 15 within the same terrace row as the host dwelling).

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for the conversion of the garage into habitable accommodation along with alterations to fenestration and alterations to the driveway.
- 3.2 The pre-existing integral garage has been converted into a habitable space. The garage door was removed and replaced by a wall in the lower portion of the opening and a white-framed UPVC window to match the existing windows in the upper portion.
- 3.3 The existing driveway would be extended in width to enable the provision of two parking spaces. The existing soft landscaping (low-level shrubs) would be removed to facilitate the driveway extension.

4 Statutory Consultation

- 4.1 National Grid: [No Response]
- 4.2 Abbots Langley Parish Council: [Objection]

The Committee objects to this application on the following grounds:

- Non-Compliance with Parking Standards: The application property operates as a 6-bedroom House in Multiple Occupation (HMO). A large residential dwelling of this scale cannot sustainably be served by only two off-street parking spaces. The current provision of two spaces fails to meet the adopted local planning policy parking requirements for a 6-bedroom property.*
- Impact on Local Character and Amenity: Edson Close is a residential road. The significant under-provision of on-site parking will inevitably lead to an increase in overspill parking on the public highway. This will detrimental to the character of the street scene and compromise local residential amenity.*
- Risk of Further Intensification: While the Committee acknowledges the converted space is currently designated as a reception room—a facility otherwise supported within an HMO framework—its immediate proximity to existing utility services and drainage infrastructure raises material concerns. This layout creates a strong potential for the space to be converted into an additional habitable bedroom unit in the future, further exacerbating the existing parking and intensification pressures on the surrounding area.*

Recommendation:

The Committee strongly objects to this application as it stands. Should officers be minded to recommend approval, Members formally request that the application be called in to the Planning Committee for full determination.

4.3 Public/Neighbour Consultation

- 4.4 Neighbours consulted: 2
- 4.5 Responses received: 6 [6 objections]
- 4.6 Site Notice: 29.09.2026, Expires: 19.10.2026
- 4.7 Press Notice: Not required
- 4.8 Summary of objection comments received:
- A reduction in off-street parking increases pressure on already limited on-street parking, potentially affecting access and highway safety.*
 - Concerns of intensified residential use, with concerns about overdevelopment, noise, disturbance and residential amenity.*

- *Concerns that the garage is being used as a bedroom despite being described as a reception room, and concerns that six occupants are already living at the property while the HMO (licensing) application remains pending.*
- *The conversion has altered the property's appearance and fenestration, with some neighbours considering the changes harmful to the character of the street and causing overlooking/privacy concerns.*
- *The conversion was undertaken before the relevant planning/HMO processes were concluded, raising concerns that retrospective approval would set an undesirable precedent.*
- *Concerns were raised regarding wider implications for the character of the close, parking capacity, and amenity of the small cul-de-sac, including children's safety and refuse collection.*

Officer note: This application is concerned with the retrospective conversion of a garage, associated fenestrations changes and the proposed extension of the existing driveway to provide two parking spaces.

It is acknowledged that the host dwelling is being used as a small house of multiple occupation (HMO). From the evidence available to the Local Planning Authority, there are no more than 6 occupants, and the use would therefore benefit from deemed planning permission via the General Permitted Development Order 2015 (as amended). A HMO licence is pending consideration with the council's Environmental Health department at the time of finalising this report. This application does not seek permission for the use, and therefore this report does not assess the suitability of the dwelling for use as an HMO.

5 Reason for Delay

5.1 N/A.

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).

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 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 DM6, DM8, DM9, DM13 and Appendix 5.

Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026). Relevant policies include AL3 and AL4.

6.3 Other

In August 2026 the NPPF was updated.

The Three Rivers District Council Local Plan 2026-2042 (Parts I and II) was recently subject of a Regulation 19 consultation. As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is at consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant Policies include SP2, BGL1, TC2 and Appendices 1 and 3.

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

7 **Planning Analysis**

7.1 Overview

- 7.1.1 Condition 5 of planning permission 05/0534/FUL for the 'erection of 33 dwellings comprising 2 bed flats, 3 and 4 bed houses with public open space and associated access, parking and landscaping' applies to the application dwelling and states:

'Notwithstanding the provisions of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 the garages forming part of the dwellings hereby permitted shall be retained primarily for the garaging of private cars. No alterations shall be carried out to the garages such as to prevent its use for garaging private cars.'

- 7.1.2 Due to the above control express planning permission from the LPA is required for garage conversions. The imposition of this condition does not mean conversions are unacceptable in principle, but each requires an assessment which is set out below.

7.2 Impact on the character and appearance of the host building

- 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 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.
- 7.2.2 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 Policy AL3 of the Abbots Langley Neighbourhood Plan sets out that developments should reflect the architectural variety found locally and use materials that are in keeping with those found in existing buildings in the immediate locality.
- 7.2.4 Policy AL4 of the Abbots Langley Neighbourhood Plan sets out that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.
- 7.2.5 The converted garage has included the replacement of the garage door with a 2-casement white UPVC window, with a painted rendered wall to match the existing exterior. This change is visible from the streetscene of Edson Close. It is noted that there are two other converted garages within the terrace of four dwellings of which the host dwelling is sited (at No. 11 and No. 15). Given that the new window is a match for the existing fenestrations in the front elevation and the exterior is in keeping with the dwelling and other examples of converted garages within the immediate streetscene, it is not considered that the conversion results in an incongruous form of development from a character and streetscene perspective.
- 7.2.6 The existing driveway is proposed to be extended. This would result in an area of soft landscaping containing small-scale shrubbery being removed, and paved with hardstanding to provide 1 additional parking space within the dwelling's frontage. While the loss of the soft landscaping is regrettable, it is noted that the planting is of a small scale and its loss is not considered to result in an unacceptably harmful impact to the surrounding streetscene of Edson Close. Additionally, it is noted that similar driveway extensions have been completed at two of the neighbouring terraced dwellings.
- 7.2.7 In summary, the proposed development would not be of a scale or design that would result in any adverse harm to the character or appearance of the host dwelling or streetscene. The development 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 AL3 and AL4 of the Abbots Langley Neighbourhood Plan.
- 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 and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The front window only overlooks the application's frontage and adjacent highway. It is not considered that the addition of a ground-floor level window in the dwelling's front elevation has resulted in any unacceptable overlooking of any neighbouring dwellings or amenity areas.
- 7.3.3 The extension of the driveway is not considered to have any harmful impact on the residential amenity of any neighbouring dwellings.
- 7.3.4 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.
- 7.4 Highways & Parking
- 7.4.1 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.

- 7.4.2 The plans indicate that the dwelling has 5 units/bedrooms; this does not include the converted garage, which is shown to serve as a dining room. However, officers are aware that a HMO licence application for 6 occupants is pending consideration. Therefore, the parking requirement will be assessed on the basis of a potential 6 occupants.
- 7.4.3 Appendix 5 sets out that a HMO, which this dwelling is understood to operate as, should provide 0.5 spaces per tenancy, a total requirement of 3 spaces in this case, based on 6 possible tenancies. Other parking standards that are relevant include Appendix 5 guidance for 4 bedroom+ residential dwellings and the guidance contained in the emerging local plan, which are set out in the table below:

Planning Policy	6 occupant HMO	6-bedroom residential dwelling
Current Local Plan (2013) Appendix 5	3 parking spaces/0.5 per unit	3 parking spaces
Emerging Local Plan <i>(currently given limited weight)</i>	6 parking spaces/1 per unit	2.5 parking spaces

- 7.4.4 The potential parking shortfall of parking of 1 space in the case of an HMO or 1 space in the case of a residential dwelling is noted. In addition, the parking standards for HMOs set out in the emerging local plan would result in a shortfall of 4 spaces; this guidance, while considered, can only be given limited weight at this time.
- 7.4.5 The conversion of the pre-existing garage has resulted in the loss of 1 assigned parking space at the host dwelling. The proposed driveway extension would increase the number of assigned spaces to 2, reflecting the pre-existing parking situation at the dwelling. Therefore, there would be no net loss of assigned parking spaces serving the host dwelling. The objection comments of neighbours to the application with regard to parking are acknowledged, it was noted during a site visit that Edson Close appears to be experience parking pressure, with many cars parking on the footway on both sides of the road along the close.
- 7.4.6 The resulting parking provision would be equal to the pre-existing situation. It would reflect the same parking arrangement as two other dwellings within the same terrace, where the garage has been converted and two spaces provided on the front driveway. As there would be no material change to the amount of parking spaces at the host dwelling as a result of this proposal, and the similar neighbouring developments, it is not considered that a refusal of planning permission on parking would be justified. Therefore, the proposed parking provision is considered acceptable in this regard.

7.5 Rear Garden Amenity Space

- 7.5.1 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.
- 7.5.2 The proposed development would not encroach upon the rear amenity space of the host dwelling. 65 sqm of useable amenity space would remain. The host dwelling has 6 bedrooms; therefore, a rear amenity space of 147 sqm would be required as per the Appendix 2 guidance on amenity space. While this shortfall is noted, it reflects the existing situation at the application site and is therefore considered acceptable to serve the host dwelling.

7.6 Trees & Landscape

7.6.1 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.

7.6.2 The proposed development would not require the removal of any trees nor is considered to result in any harm to others.

7.7 Biodiversity

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

7.7.2 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.

7.7.3 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. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment. Owing to the nature of the development with works to the roof a precautionary informative will be added.

7.8 Mandatory Biodiversity Net Gain

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

7.8.2 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 Part Retrospective **PLANNING PERMISSION BE APPROVED** subject to condition:

C1 Within 4 months of the date of this permission hereby granted, the driveway shall be extended as shown on plan TRDC001 (PROPOSED LOCATION & BLOCK PLANS) in order that it can accommodate two vehicles. The driveway extension shall be undertaken in a permeable material or provision made to direct run off water to a permeable or porous area or surface within the site. The driveway shall be retained as such thereafter.

Reason: In the interests of highway safety and to ensure sufficient on-site parking is provided in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee. There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@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 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>.











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PLANNING COMMITTEE – Thursday 22 October 2026

26/1321/RSP - Part retrospective: Construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation. 10 Hyde Lane, Nash Mills, Hemel Hempstead, Hertfordshire, HP3 8RY

Parish: Abbots Langley
Expiry of Statutory Period: 20.10.2026

Ward: Gade Valley
Case Officer: Chris Day

Development Type: Householder development

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

Reason for consideration by the Committee: it was called in by three members of the planning committee due to concerns around the impact on the Green Belt and the impact on neighbours.

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

[26/1321/RSP | Part retrospective: Construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation. | 10 Hyde Lane Nash Mills Hemel Hempstead Hertfordshire HP3 8RY](#)

1 Relevant Planning History and Enforcement History

- 1.1 W/2442/73 – Replacement Garage
- 1.2 25/0421/FUL - Erection of a part single, part two storey side extension – Permitted and commenced.
- 1.3 25/0461/CLPD - Certificate of Lawfulness Proposed Development: Erection of a single storey rear extension; loft conversion including hip to gable roof alterations and rear dormer and front rooflights – Permitted and commenced.
- 1.4 25/0354/PDE - Prior Approval: Single storey rear extension (depth 4.37 metres, maximum height 3.00 metres, maximum eaves height 3.00 metres) – Withdrawn
- 1.5 25/0603/PDE - Prior Approval: Single storey rear extension (depth 4.70 metres, maximum height 3.00 metres, maximum eaves height 3.00 metres) – Permitted
- 1.6 25/0604/PDE - Prior Approval: Single storey rear extension (depth 4.70 metres, maximum height 3.00 metres, maximum eaves height 3.00 metres) – Refused, due to impact on amenity. – Refused due to impact on amenity
- 1.7 26/0088/COMP – Enforcement Investigation: Works not in accordance with 25/0461/CLPD and 25/0421/FUL: works require planning permission (subject to this application).

2 Description of Application Site

- 2.1 The application site is located on a corner plot with Hyde Lane and Woodlands Road, Nash Mills. Hyde Lane is characterised by a number of two-storey semi-detached dwellings of similar architectural styles and designs, many of which appear to have been extended or altered.

- 2.2 The application dwelling is a two-storey semi-detached dwelling with a hipped roof and a two-storey front bay projection with a gable. The dwelling has an exterior finish consisting of a smooth white render. The dwelling is subject to on-going works relating to planning permission 25/0421/FUL which included a two story side extension and the rear dormer was permitted under ..
- 2.3 To the front of the dwelling is an existing area of hardstanding providing off street parking provision. To the rear is an amenity garden which appears to be laid largely to hardstanding and has been subject to land level alterations and erection of new fencing (not subject to this application). The dwelling sits on an elevated position relative to the highway on Hyde Lane and is situated on a corner plot adjacent to Woodlands Road. Towards the rear of the garden area is an existing detached garage which is set back from the highway on Woodlands Road whereby an access exists.
- 2.4 The adjoining neighbour No. 12 Hyde Lane is sited east of the application dwelling. This neighbour is set on the same front and rear building line as the host dwelling but benefits from a two-storey side extension set down from the main ridge.
- 2.5 To the south of the dwelling is No. 1 Woodlands Road, this neighbour's flank elevation faces the rear boundary of the application site. This neighbour is set on a lower land level and appears to have implemented a two-storey side extension.
- 2.6 The neighbour to the west is No. 8 Hyde Lane, this dwelling remains separated from the application site by virtue of Woodlands Road. This dwelling is set on a lower land level than the application site and appears to have benefited from a two-storey side extension.
- 2.7 The dwelling is located within the Metropolitan Green Belt.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for the construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials and conversion of garage to habitable accommodation.
- 3.2 The applicant implemented both 25/0421/FUL and 25/0461/CLPD together, meaning neither was lawfully carried out independently. Consequently, all the works require planning permission.
- 3.3 The part two-storey, part single storey side extension is in line with the existing front and rear building line of the dwelling and has a total depth of approximately 7.7m. The depth at the first floor reduces to approximately 6.7m, as the first floor is set back from the front elevation by approximately 1m. The extension has a total width of approximately 3.2m and is set off the flank boundary by approximately 5.6m.
- 3.4 The part two storey, part single storey extension has a hipped roof set down from the main ridge line of the dwelling by approximately 0.75m, an increase on the previously approved plans permitted by 25/0421/FUL of 0.15m. The extension sits at a total height of approximately 8.95m above the ground level. The eaves line are consistent with the eaves height of the existing dwelling. The mono pitched roof to the single storey side extension has a total height of approximately 3m.
- 3.5 The extension has been constructed in materials to match the existing dwelling. It is finished in smooth white render and all windows within the front and rear elevation of the extension and both ground and first floor level.
- 3.6 The rear dormer window is 2.7m high, 5.3m wide and 2.4m deep and it is set down from the ridge by approximately 0.2m. Within the rear dormer, two windows have been inserted.

- 3.7 One rooflight has been inserted within the front roof slope of the main dwelling.
- 3.8 The garage is proposed to be converted into gym and games room with W/C, shower facilities. The room is served by a door and windows on the front elevation and high level windows to the flank elevation.

4 Statutory Consultation

- 4.1 National Grid: [No Response]
- 4.2 Abbots Langley Parish Council: [Objection]

This representation is submitted to the Planning Committee to object strongly to the part-retrospective application under reference 26/1321/RSP. The development represents a severe overdevelopment of a restricted site, failing to comply with Three Rivers District Council (TRDC) development management policies concerning scale, design, Green Belt protection, and highway safety.

Policy Non-Compliance: The proposed rear dormer is excessive in its height, width, volume, and overall scale. It fails to maintain a subordinate relationship with the original roofscape, directly conflicting with TRDC design guidelines.

Permitted Development: The dimensions and positioning of the dormer exceed the thresholds permitted under General Permitted Development rights.

Precedent: Approving a design of this disproportionate scale would set a damaging planning precedent for the surrounding residential area.

2. Overdevelopment and Intensification of Use (Potential HMO)

Intensification: The cumulative impact of the two-storey side extension, loft conversion, and the conversion of the detached garage into habitable space effectively creates a large 6-bedroom dwelling. Layout Concerns:

The internal layout and room configuration strongly indicate a layout optimised for use as a House in Multiple Occupation (HMO).

Local Context: Given the site's highly confined context alongside neighbouring properties, a 6-bedroom high-density occupation represents a severe over-intensification of the site.

3. Parking Deficit and Highway Safety

Substandard Parking Provision: The intensification to a 6-bedroom layout demands a commensurate level of off-street parking accommodation under local transport standards. The current layout fails to demonstrate adequate parking for this level of occupation.

Locational Constraints: Hyde Lane is a narrow, single-track country lane with an absolute lack of safe on-road parking capacity.

Highway Safety Risks: The site occupies an exposed, dropped road junction setting. The inevitable overspill of vehicles onto this restricted junction will severely exacerbate local parking pressure, compromise vehicular turning movements, and degrade road safety for all.

Visual Amenity: The combined mass of the two-storey side extension, extensive first-floor flank fenestration, dominant rear dormer, and converted garage creates a visually jarring, contrived, and cramped appearance.

Green Belt Impact: The property sits within a sensitive Green Belt setting. The scale of the overall volumetric increase fails to preserve the openness of the Green Belt and harms the established semi-rural character of this residential area.

Consistency in Decision-Making: Restrictive planning policies have historically protected this area from disproportionate additions. The fact that these works have been carried out layout-first as a retrospective application reinforces that this is a tangible, observable case of overdevelopment rather than a perceived one.

Conclusion

The retrospective nature of this application highlights a disregard for the established planning framework designed to protect the character of the district. If local development management controls are to remain robust and equitable, developments that clearly cause demonstrable harm to highway safety, neighbourhood amenity, and the Green Belt must be resisted.

If the officer is of a mind to approve this application we ask that it be brought to the attention of the planning committee.

4.3 Public/Neighbour Consultation

4.4 Neighbours consulted: 37

4.5 Responses received: 28 Objections

4.6 Summary of Comments

- Parking/on off street
- Changing into HMO
- permission should be subject to a condition that prevents its use as an HMO
- Highway safety / pedestrian safety
- Encourage similar builds
- No Public Transport
- Noise
- Garage converting to habitable accommodation loss of parking space
- Garage not being used as a parking space
- Rear Drive showing two cars
- Loss of privacy / overlooking
- Over development
- Drainage
- Fencing /land levels
- Neighbours' amenity
- No compliance of Policy DM1 and DM2

- Breaching Design Criteria in appendix 2 section 4
- Roof form out of character of the area.

Officer Note: Comments from the neighbour are noted. The analysis as to the impact of the development subject of this application on Green Belt, cumulative impact of the development, overdevelopment, design, neighbouring amenity and parking is set out in a later section of this report.

Regarding the concerns of the dwelling being changed into an HMO and the potential of 6+ non-related in habitants the LPA have no evidence to suggest the dwelling would be converted to a large HMO. HMO's occupied by more than 6 individuals would require planning permission. It is also noted that only 4 bedrooms are proposed on the plans.

Matters relating to drainage would fall outside the remit of this application and would be caught by other legislative requirements.

There were also concerns raised regarding fencing and land levels which is likely to be subject to a separate planning application and is not included in the assessment of this application.

4.7 Site Notice: Not Required

4.8 Press Notice: Not Required

5 Reason for Delay

5.1 N/A.

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).

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 Statutory Development Plan

The Core Strategy was adopted on 17 October 2011 after the Inspector concluded that it was sound following Examination in Public which took place in June 2011. Relevant policies of the adopted Core Strategy include CP1, CP9, CP10, CP11 and CP12. The NPPF retains a presumption in favour of sustainable development.

The Development Management Policies Local Development Document (LDD) 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, DM4, DM6, DM13 and Appendices 2 and 5.

Abbots Langley Neighbourhood Plan 2025-2041 (March 2026 version, Made June 2026): Relevant Policy includes AL4.

6.3 Other Material Considerations

Supplementary Planning Guidance No 3 – Extensions to Dwellings in the Green Belt (August 2003).

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. Relevant Policies include GB1, SP2 and SP4.

In August 2026, the NPPF was updated. Relevant policies include S3, DP3, GB2, GB6, GB7 and TR4.

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

7 **Planning Analysis**

7.1 Impact on Metropolitan Green Belt

- 7.1.1 The application site is located within the Metropolitan Green Belt. The NPPF (August 2026) sets out that the objective of Green Belt is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.
- 7.1.2 Policy GB6 (2) of the NPPF states that inappropriate development, is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reasons of its inappropriateness and any other harm resulting from the proposed development is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.
- 7.1.3 Policy GB6 (1) of the NPPF states that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. Policy GB7 sets out that the following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances.
- 7.1.4 The most relevant exception of GB7 is considered to be:
 - b) The re-use, **extension**, alteration or replacement **of an existing building**, provided that the existing building **is of permanent and substantial construction, is lawful in planning terms**, and **any extension or alteration will not result in a disproportionate increase in size compared to the original building**.
- 7.1.5 Policy DM2 of the Development Management Policies Document 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 buildings 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.
- 7.1.6 The 'Extensions to Dwellings in the Green Belt Supplementary Planning Guidance' 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 of the Development Management Policies document. Nevertheless, the Extensions to Dwellings in the Green Belt Supplementary Planning Guidance provides useful guidance and

paragraph 4.5 of the Development Management Policies document 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.

- 7.1.7 The requirements of the NPPF are considered to reflect the adopted policies of the Three Rivers District Council Local Plan. Core Strategy Policy CP11 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.

7.1.8 Green Belt Calculations

Approved Application - 25/0421/FUL

Original Floorspace	Existing Extensions	Existing Percentage	Proposed Extensions	Percentage Increase over Original
108.96	n/a	n/a	36.91	34%

Proposed Application - 26/1321/RSP

Original Floorspace	Existing Extensions	Existing Percentage	Proposed Extensions	Percentage Increase over Original
108.96	n/a	n/a	75.45 including dormer	68.4%

- 7.1.9 The application dwelling does not appear to have been previously extended prior to recent works. The extension to the dwelling would result in a cumulative increase above the original dwelling of approximately 68.4% when all parts of the development are totalled; however without the dormer the works would be the same as the approved application 25/0421/FUL therefore below 40% and given its design and scale was not considered to be disproportionate. It is noted in the SPG 3 that extensions resulting in a cumulative increase in floorspace of over 40% compared with the original dwelling will normally be unacceptable, with the following exceptions:

- i) **dormer windows satisfying 10 (c), Dormer windows proportionate to the existing building, and with glazing covering the full frontage other than side framing, will not normally be viewed as adversely affecting the openness of the Green Belt.**
- ii) ground floor conservatories of modest size compared to the house and site, though planning conditions will then be imposed on permissions prohibiting their replacement with more substantial construction, 'in-fill' extensions (e.g. if the existing building is 'L' or 'U' shaped) which do not increase the apparent bulk of the building.
- iii) 'in-fill' extensions (e.g. if the existing building is 'L' or 'U' shaped) which do not increase the apparent bulk of the building.

- 7.1.10 In this case, the dormer window falls within exception (i), as it is set down from the eaves and set in from the flank elevations making it subordinate and proportionate to the existing dwelling therefore it is not viewed as adversely affecting the openness of the Greenbelt.

- 7.1.11 It is noted that the garage conversion into habitable accommodation in the form of a gym and games room would not be increasing in size would be acceptable with GB7 b) therefore would be acceptable in this regard.

- 7.1.12 In summary, the proposed development would be considered appropriate development within the Green Belt and would not adversely affect its openness. While the cumulative increase would appear disproportionate in isolation, the part single part two-storey side extension has already been approved and does not exceed the 40% threshold. In addition, the dormer extension is considered to fall within exemption 10(c) of the SPG. The development complies with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (2013) and the NPPF (2026).
- 7.2 Impact on the character and appearance of the host building
- 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 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.
- 7.2.2 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. In order to prevent a terracing effect and maintain an appropriate spacing between properties in character with the locality two storey side extensions may be positioned on the flank boundary provided that the first-floor element is set in by a minimum of 1.2m 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
- 7.2.4 AL4 of the Abbots Langley Neighbourhood Plan states 'All new development should reflect the character of the Character Area in which they are located as shown on as described in the Abbots Langley Design Guidance and Codes. Developments should reflect the architectural variety found locally and use materials that are in keeping with those found in existing buildings in the immediate locality. This will help to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, where this demonstrably enhances the quality of the built form.
- 7.2.5 The part single and part two storey side extension is identical to what has previously been approved on application 25/0421/FUL. It is readily visible from both Hyde Lane and Woodlands Road given the corner plot location of the site. The extension is set in line with the existing front and rear building line of the host dwelling, extending for its full depth at the ground floor, with the first floor extending in line with the existing rear building line but setback some 1m from the main front wall. Given the set back, this reduces the first floor visual prominence of the extension. The extension has a hipped roof which would be set down from the main ridge line of the dwelling and is therefore subservient. The single storey element to the ground floor front elevation has a traditional pitched roof which is not considered to appear unduly prominent within the context of the host dwelling or wider streetscene. In addition to the above, the proposal has been constructed in materials to match the existing dwelling which has further retained its character within the streetscene.
- 7.2.6 The extension is also set in from the flank boundary by approximately 5.6m. Given the spacing retained to the boundary and the siting of the dwelling on a corner plot it is not considered that the extension results in the creation of a terracing effect. Thus, it is not considered that the extension results in demonstrable harm to the character of the host dwelling or wider streetscene.

- 7.2.7 With regards to the rear dormer, as set out in the Appendix 2 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 rear wall. The roof form should respect the character of the house if possible.
- 7.2.8 It is recognised that the rear dormer is a notable new feature of the rear roof slope, with views possible from public vantage points along Hyde Lane and Woodlands Road. However, the dormer is set down from the highest ridge by 0.9m and approximately 0.2m from the two storey side extension's ridge line. The dormer is also set in from the western flank elevation, facing Woodlands Road by 2.1m and is 0.5m from the adjacent neighbour and set up from the eaves at the rear of the dwelling. While the dormer is large, it is noted that it is smaller than that what was approved under 25/0461/CLPD. Furthermore, there is sufficient spacing retained to all sides of the dormer such that it does not fully subsume the rear roof slope. Given the spacing, it is considered that the dormer would, on balance, be acceptable.
- 7.2.9 While there is an increase in the bulk and massing of the roof form resulting from the two story side extension and the rear dormer combined, it is not considered that it would be at a level that is unacceptably harmful to the character of the host dwelling or surrounding streetscene.
- 7.2.10 One rooflight is positioned at the front roof slope. Rooflights are considered to be a common feature of the surrounding streetscene so there is no objection to this element.
- 7.2.11 The garage conversion has removed the wooden door and window and replaced them with a door and new windows. It is not considered that such changes would cause harm to the street scene and therefore acceptable in this regard. A condition has been applied to the garage to ensure that it remains in ancillary or incidental use.
- 7.2.12 In summary, the development does not result in any adverse harm to the character or appearance of the host dwelling or wider streetscene. The development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1, Appendix 2 of the Development Management Policies LDD (2013) and AL4 of the Abbots Langley Neighbourhood Plan.
- 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 and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The part two storey, part single storey side extension extends from the existing flank wall of the dwelling, away from the adjoining neighbour at No. 12 Hyde Lane. This neighbour appears to have implemented a two-storey side extension. The extension is largely screened from view of this neighbour by virtue of the dwelling. The extension does not project beyond the existing front or rear building line of the host dwelling and is set down from the ridge line of the dwelling. As such, it is not considered to result in an overbearing form of development or result in a harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling.
- 7.3.3 No. 1 Woodlands Road is sited to the rear of the application site, this neighbour is set at a lower land level to the host dwelling and its flank elevation faces the boundary with the application site. It is acknowledged that this neighbour appears to have implemented a two-storey side extension which remains set off the boundary with the application site. This neighbour is further separated from the dwelling by virtue of the host dwelling's existing

detached garage(converted) to the rear of the site. The extension projects from the existing flank wall and does not extend beyond the current rear building line. It retains a hipped roof and is set down from the main ridge line of the dwelling and owing to the spacing retained to the boundary is not considered to give rise to an overbearing form of development or harmful loss of light such to justify a refusal in this regard

- 7.3.4 The proposed rear dormer may increase the perception of overlooking towards neighbouring amenity areas this would be towards flank. However, due to the set-in of the dormer and the spacing to the boundaries, it would not result in greater overlooking into the neighbouring properties than the existing first-floor windows for which there is no objection.
- 7.3.5 The front rooflight is not considered to result in any unacceptable overlooking of neighbours due to the location high in the roof slope.
- 7.3.6 The garage conversion has replaced a wooden door with a door and 2 casement windows it is not viewed that this conversion will cause any visual harm to the neighbours
- 7.3.7 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.

7.4 Highways & Parking

- 7.4.1 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.
- 7.4.2 The proposal would increase the number of bedrooms within the dwelling by two, resulting in a four-bedroom dwelling. Appendix 5 of the DMP LDD sets out that four or more-bedroom dwelling would require 3 assigned spaces within the dwelling's curtilage. The existing dwelling has an area of hardstanding forward of its front elevation which can accommodate 1 vehicle. Additionally, there is an area of hardstanding forward of the garage which can also accommodate an additional vehicle. There is a shortfall of 1 space when applied to the parking standards for a 4 bedroom dwelling.
- 7.4.3 Officers note that a parking plan was submitted with the application; however, it has not been afforded weight as it shows two parking spaces to the rear of the site accessed via a route that has been determined not to be lawful. Notwithstanding this, it is recognised that there appears to be scope to increase parking provision within the front curtilage to help address the shortfall, should demand while greater on-site provision. However, this could only be achieved through extensive works to the garden which are not proposed under this application. Notwithstanding, it is not considered that the shortfall in one space would be unacceptable.

7.5 Rear Garden Amenity Space

- 7.5.1 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.
- 7.5.2 The proposed development does not encroach upon the rear amenity space of the host dwelling. 148 sqm of useable amenity space would remain, which is acceptable to serve the five-bedroom dwelling.

7.6 Trees & Landscape

- 7.6.1 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.

- 7.6.2 The development has not required the removal of any trees nor is considered to result in any harm to others. It is acknowledged that boundary hedging has been removed, however, this formed part of works not currently subject to this application.

7.7 Biodiversity

- 7.7.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.7.2 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.
- 7.7.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors have been affected as a result of the development. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment.

7.8 Mandatory Biodiversity Net Gain

- 7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 7.8.2 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 Part Retrospective **PLANNING PERMISSION BE APPROVED** subject to conditions:
- C1 Those works which yet to be undertaken shall be carried out hereby permitted shall be carried out in accordance with the following approved plans: 25.293.PL.001A REV 00, 25.293.PL.001B REV 00, 25.293_BR.001 REV 00, 25.293.PL 002, 25.293.PL 003, 25.293.PL 004, 25.293.BR.003B REV 01, 25.293_PL.003 REV 03.
- 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, and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan (Referendum Version December 2018).
- C2 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).

- C3 The detached garage conversion; hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, or ancillary to, the residential dwelling located on the site and it shall not be used as an independent dwelling.

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

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@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 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 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to. The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.

Pre-Existing





Site following commencement of works





PLANNING COMMITTEE – 22 October 2026

26/1359/FUL - Construction of single-storey rear extension, air source heat pump; alterations to landscaping including demolition of outbuilding; internal alterations at 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN

Parish: Croxley Green

Ward: Durrants

Expiry of Statutory Period: 21.10.2026 (EOT to 30.10.2026)

Case Officer: Danielle Kavanagh

Development Type: Householder development

Recommendation: That Planning Permission be GRANTED subject to conditions.

Reason for consideration by the Committee: A District Councillor lives within consultation area.

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

[26/1359/FUL 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN](#)

1 Relevant Planning History

- 1.1 26/1042/FUL - Loft conversion including hip to gable roof extension; construction of a rear dormer; installation of rooflights and removal of chimney stack, single-storey front extension and front porch, alterations to fenestration, alterations to front amenity garden and construction of front pedestrian gate – 26.08.2026 Permitted, not implemented
- 1.2 8/29/86 - Extension to existing garage, new garage - 24.03.1986 - Permitted

2 Description of Application Site

- 2.1 The application site contains a two-storey detached dwelling on the northern side of Girton Way, Croxley Green. The application dwelling has a dark tiled hipped roof form. The exterior finish of the dwelling consists of red brick. Girton Way is characterised predominantly by semi-detached dwellings of similar architectural style and appearance, a number of which have been extended or altered.
- 2.2 To the front of the dwelling is an existing paved driveway with off-street parking provision for one car; the dwelling has an existing flank garage. The front boundary treatment is a low brick wall with one pedestrian gate and a gated driveway access. To the rear of the dwelling is an additional pitched-roofed outbuilding and an amenity garden, predominantly laid as lawn with an area of patio extending from the rear elevation of the dwelling. There is a shed sited to the rear of the application site. Land levels on the application site are largely flat.
- 2.3 The application site is flanked on the eastern side by a public footpath which connects Girton Way to Baldwins Lane (Croxley Green 015).
- 2.4 The neighbour to the east is No. 34 Girton Way, a two-storey semi-detached dwelling built on a similar land level compared to the host dwelling. This neighbour is situated on the opposite side of the public footpath. This neighbouring dwelling benefits from an existing two-storey side and rear extension, adjacent to the boundary shared with the public footpath.
- 2.5 The neighbouring dwellings to the west are maisonettes No. 19, 21, 23 and 25 Malvern Way. These dwellings are sited perpendicular to the application site, with their rear elevations facing the western flank of the application dwelling.

- 2.6 St Oswald's Church and Hall and the associated carpark are sited to the rear of the application site.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the construction of a single-storey rear extension, air source heat pump, alterations to landscaping, including demolition of an outbuilding; internal alterations
- 3.2 An existing outbuilding sited to the rear of the host dwelling would be demolished.
- 3.3 The proposed single storey rear extension would have a stepped depth, it would extend in line with the eastern flank elevation of the dwelling for a depth of 5.8m, for a width of 6.3m, the extension would then step back to a depth of 4m from the rear elevation of the host dwelling for a width of 3.4m. the rear extension would not extend beyond the existing flanks of the host dwelling.
- 3.4 The proposed roof form would be flat with a parapet wall of a maximum height of 3.4m. Two roof lights are proposed for the flat roof. Fenestrations are proposed for the rear and flank elevations of the extension. In the rear elevation, a set of bifold doors is proposed, and an arched doorway, a corner window is proposed for the rear elevation, wrapping around to the western flank elevation. In the eastern flank elevation, a horizontal window is proposed.
- 3.5 The proposed material finished for the extension would be brick to match the existing external walls, and the parapet wall around the flat roof would have stone coping. The fenestrations would be grey-framed aluminium units.
- 3.6 A patio is proposed to wrap around the extension, it would join an existing area of patio to the rear of the flank garage, and extend to a maximum depth of 4m from the rear elevation of the proposed extension, it would wrap around the north-eastern corner of the dwelling and extend to the full depth of the extended dwelling along the eastern side. This part of the patio would have a splayed width of 5.5m at the rear, reducing to 1.4m near the front of the dwelling. Hedging along the eastern boundary with the footpath would be retained. The proposed patio is intended to be level with the internal ground floor, with an approximate 120mm difference between the existing and proposed levels.
- 3.7 An air-source heat pump (ASHP) is proposed to be sited centrally at the ground floor level on the western flank elevation of the existing dwelling.
- 3.8 An outdoor kitchen was removed from the plans, and the proposed air source heat pump specification was provided during the course of the application. Additional plans were provided to confirm the extent and height of the proposed patio.

4 Statutory Consultation

4.1 National Grid: [No Response]

4.2 Croxley Green Parish Council: [Comment received]

4.3 *Croxley Green Parish Council draws the planning officer's attention to the lack of information regarding the air source heat pump no details of noise output etc are provided, and the outside kitchen and requests that the Officer requests details on these before deciding on the application. The officer is also requested to consider the application in light of the recent application for a loft extension on the property.*

The applicant should be advised to ensure that any restrictive covenants are complied with.

4.4 **Public/Neighbour Consultation**

- 4.5 Neighbours consulted: 9
- 4.6 Responses received: 0
- 4.7 Site Notice: 03.09.2026, Expired: 24.09.2026
- 4.8 Press Notice: 07.09.2026, Expired: 02.10.2026

5 Reason for Delay

- 5.1 Committee Cycle

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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 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 DM6, DM8, DM9, DM13 and Appendix 5.

Croxley Green Neighbourhood Plan (Referendum Version December 2018), Policy CA2 and Appendix B and C are relevant.

6.3 Other

In August 2026 the NPPF was updated. Relevant policies include:

The Three Rivers District Council Local Plan 2026-2042 (Parts I and II) has recently been subject of a Regulation 19 consultation. As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the policies listed; however, as the new Local Plan is at consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant Policies include SP2, BGL1, TC2 and Appendices 1 and 3.

7 Planning Analysis

7.1 Impact on the character and appearance of the host building

- 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 CA2 of the Croxley Green Neighbourhood Plan sets out that extensions to existing buildings should seek to conserve and enhance the character areas in Appendix B through the careful massing, alignment and height. Appendix C provides guidance for extensions, including that they should address their visual impact on the streetscene.
- 7.1.4 The Design Criteria at Appendix 2 states that 4m is the depth generally considered acceptable for single-storey extensions to detached properties. The proposed single-storey rear extension would have a maximum depth of depth of 5.8m, reducing to 4m, which would exceed the Design Criteria in part; however, it is not considered that the extension would appear disproportionate in scale or design relative to the host dwelling or the plot. It is noted that the extension steps back to a policy-compliant depth of 4m in line with the western flank of the dwelling. It is not considered that views of the extension would be possible from Girton Way due to the siting of the extension at the rear of the dwelling. There may be some visibility of the extension from the public footpath, which runs along the eastern boundary of the application site. The extension is proposed to have a flat roof form with a modest height of 3.4 m; it is not considered that the single-storey rear extension would be unduly prominent or result in an incongruous form of development as viewed from public vantage points. The extension would be finished in brick, helping it blend in with the existing dwelling's finish.
- 7.1.5 An air-source heat pump (ASHP) is proposed to be sited at ground level along the eastern elevation of the host dwelling. Given the positioning of the ASHP, and the existing boundary treatments which would be retained, it is not considered that any views of this element of the proposal would be possible from public vantage points. It is therefore acceptable from a character and streetscene point of view.
- 7.1.6 It is not considered that the proposed patio would result in any harm to the character of the dwelling or streetscene, it would in part replace existing hardstanding to the flank of the dwelling.
- 7.1.7 In summary, the proposed development would not be of a size, scale or design that would result in any adverse harm to the character or appearance of the host dwelling or streetscene. The development 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 CA2 and Appendix B and C of the Croxley Green Neighbourhood Plan (Referendum Version 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 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 The proposed rear extension would project 5.8m, reducing to 4m beyond the existing rear elevation of the host dwelling and would introduce additional built form extending past the neighbouring maisonettes at Nos. 19, 21, 23 and 25 Malvern Way. The extension would be 4m deep, adjacent to the closest boundary with the neighbouring maisonettes. These neighbours are sited perpendicular to the application site, with their rear elevations facing towards the western flank and rear of the application dwelling. As such, the proposed extension has the potential to increase the extent of built form visible from the rear-facing windows and amenity areas of the neighbouring properties. Notwithstanding this, an approximate 15m separation between the rear elevations of the neighbouring maisonettes and the proposed extension would be maintained. The extension would be single-storey and would have a flat roof of modest height. On this basis, it is considered that the proposed rear extension would not result in an unacceptable impact on the living conditions of the occupiers of Nos. 19, 21, 23 and 25 Malvern Way. In terms of overlooking a corner window, a proposal is to wrap around the northwestern corner of the rear extension, which window would face towards the boundary with the maisonettes, the boundary is marked by closed board fencing and mature vegetation. It is not considered that the corner window, due to its ground-floor location and the existing boundary treatments, would result in any additional or unacceptable overlooking of these neighbours.
- 7.2.3 The proposed rear extension would extend approximately 1.4m beyond the rear elevation of the neighbouring dwelling, No. 34 Girton Way. This neighbour is separated from the application site by a public footpath; there would be approximately 9.5m of separation distance, including the path, between the proposed extension flank and the neighbouring dwelling. considering this separation between the dwellings and the limited extend the extension would extend past the neighbours rear elevation, it is not considered that the proposed development would result in a any harm to the light or amenity of No. 34. In terms of overlooking a low level horizontal window is proposed for the flank elevation facing towards the flank elevation of No. 34, considering the mature hedging which marks the boundary and the ground floor location of the window, it is not considered that this window would result in any additional overlooking of this neighbour.
- 7.2.4 The proposed air source heat pump would be sited on the flank elevation of the dwelling facing no. 34, approximately 8m from this neighbour and again separated by the public footpath and the boundary treatments associated with both dwellings flank boundaries, which are shared with the public footpath. The provided ASHP specification indicates it would produce up to 60 dB, which is comparable to a normal conversation. When considering the siting at ground level and the physical boundary treatments, and the separation distance, it is not considered that the ASHP would result in any unacceptable harm to the residential amenity of the occupants of No. 34. As the neighbouring maisonettes are sited on the opposite side of the host dwelling and separated by their rear amenity gardens it is not considered that this element of the proposal would have any impact on these neighbouring dwellings.
- 7.2.5 The proposed patio would wrap around the proposed extension and would, in part, replace existing hardstanding. The proposed elevations show that the patio would be approximately 0.12m above the existing patio, which is level with the rear garden level. Given that the patio would not result in a raised platform, it is not considered to create any opportunity to overlook neighbours beyond what would be possible from garden level.

7.2.6 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. The existing property benefits from 4 bedrooms, and no increase in bedrooms is proposed. The parking standards require 3 spaces for a property of this size, and therefore, there is an existing shortfall of 1 space as the property currently only benefits from 2 spaces (one on the drive and one in the garage).

7.3.2 There are two existing parking spaces, one on the front driveway and one in the garage. It is noted that there is a parking shortfall of 1 space for the existing 4-bedroom dwelling; the proposed development would not increase this shortfall. The shortfall is considered acceptable given the existing situation and the host dwelling's location, which is sustainable and within walking distance of local shops such as Co-op on Watford Road and bus routes on Baldwins Lane and Watford Road, meaning that occupants of the host dwelling can reasonably access local services without the need for a car.

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 The proposed development would encroach upon the rear amenity space of the host dwelling. 382 sqm of useable amenity space would remain, which is acceptable to serve the four-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.

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. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment. Owing to the nature of the development with works to the roof a precautionary informative will be added.

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 APPROVED** 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: DR A 01 004 S1 P01, DR A 02 001 51 P01, DR A 01 001 S1 P01, DR A 01 002 S1 P01, DR A 02 002 S1 P01, DR A 91 001 S1 P01, DR-A-01-003-S1-PO2, DR-A-01-005-S1-PO2, DR-A-01-004-S1-PO2, DR A 01 007 S1 P01, DR A 01 006 S1 P01, DR A 91 002 51 P01, DR A 90 001 51 P01

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, and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan (Referendum Version 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 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 flat roof of the single storey rear extension, and shown on plan number DR A 01 007 S1 P01 shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee. There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

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

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

{\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>.

- I5 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to. The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.
- I6 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.

36 Girton Way - Photos







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