

PLANNING COMMITTEE - Thursday 12th December 2024

24/1341/FUL – Construction of single-storey front extension and first floor rear extension, conversion of garage into habitable accommodation and internal alterations, alterations to fenestration and extension of driveway at 69 SYCAMORE ROAD, CROXLEY GREEN, RICKMANSWORTH, WD3 3TY

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 24.10.24
EOT 20.12.24.

Ward: Dickinsons
Case Officer: Clara Loveland

Recommendation: PLANNING PERMISSION BE GRANTED

Reason for consideration by the Committee: Croxley Green Parish Council call in if Officers are minded to approve. Concerns set out at paragraph 4.1.2.

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

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SILTZTQFKYY00>

Update

This application was considered at the November Planning Committee Meeting where Members resolved to defer the application in order to undertake a site visit. Since the November Committee, there has not been any update to the proposal or plans.

1 Relevant Planning History

1.1 No relevant planning history.

2 Description of Application Site

2.1 The application site contains an end terrace dwelling located on the northern side of Sycamore Road, Croxley Green. The application dwelling is two storeys in height with a flat roof and is finished in tile hanging on the first floor and light brown brick on the ground floor. It has an integrated garage. The dwelling is set back from the highway by a front garden and a driveway which can accommodate 2 cars. To the rear, there is a single-storey rear extension. There is a patio area which steps up to the rear garden. Land levels increase towards the rear and the garden is bound by a mixture of vegetation and close board fencing.

2.2 The application dwelling is the end of a uniform terrace set, with each dwelling being similar in style and design. The immediate area is characterised by terrace sets that are generally set back from the highway and benefit from driveways and grassed frontages, although each of the terrace dwellings vary slightly in design and some dwellings have been altered and extended. The adjacent terrace sets differ in design with first-floor links and open central ground-floor spaces between each dwelling. The west terrace is set further back, and the eastern terrace is set further forward than the application dwelling

3 Description of Proposed Development

3.1 The application seeks full planning permission for the construction of single-storey front extension and first floor rear extension, conversion of garage into habitable accommodation and internal alterations, alterations to fenestration and extension of driveway.

3.2 The front extension would have a depth of 2m and extend the full width of the dwelling measuring 7.5m up to the boundary with the attached neighbour. It would have a flat roof

with a height of 2.8m. It would be finished in part-brick and part-tile hung. There would be front-facing doors and windows which would match the design and profile of the existing fenestration.

- 3.3 The garage would be converted into a study and ensuite.
- 3.4 The first-floor rear extension would have a depth of 3.1m and extend to a width of 4.2m. It would be set in from the attached neighbour by 3.3m. It would serve as an extension to bedroom 1. It would have a flat roof set in line with the existing flat roof at approximately 5.4m. It would have a rear-facing window. It would be finished in brick.
- 3.5 The front driveway would be extended in width across the full frontage from 2.5m width to 9.6m width and would accommodate 2 vehicles.
- 3.6 The dwelling would retain the same number of bedrooms (3).
- 3.7 During the application the description was updated to include the extension of the driveway, re-consultation was required.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 Hertfordshire County Council – Highway Authority – [No objection]

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

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

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

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to

remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Comments/Analysis

Description of Proposal

Construction of extensions, conversion of garage into habitable accommodation and alterations to fenestration and extension of driveway

Site and Surroundings

Sycamore Road is an unclassified local access route subject to a 30mph speed limit which is highway maintainable at public expense. As per Hertfordshire County Council's new Place and Movement Planning Design Guide (PMPDG), Sycamore Road is classified as a P2/M1. The site is located in the east of Croxley Green, approximately 2.8km to the west of Watford.

Access and Parking

The application at this stage does not propose to alter the existing vehicular access at the site however, the application form suggests the applicant may wish to apply for a dropped kerb extension at some point. Therefore, please see the above highways informative which links to the dropped kerb page on the HCC website where the application form an Residential Dropped Kerb Policy can be found. Any application for a dropped kerb must adhere to the standards outlined within the policy, otherwise it will be refused. The proposed extensions do not impact upon the available visibility from the existing access.

Ultimately the LPA will have to be satisfied with the parking provision, but HCC would like to

comment that an additional parking space is proposed at the site and according to drawing number SYC-01 Rev 1.4, these are to measure 2.4m x 4.8m; in accordance with the PMPDG and the Residential Dropped Kerbs Policy these spaces should measure 2.5m x 5m for perpendicular spaces and 9.6m x 3.5m for spaces parallel to the highway. The parallel space which is proposed would be a suitable size if the other space is empty, due to the location of the dropped kerb, this would have to be the case to gain access to the space anyways; meaning the manoeuvring space required would be possible. The garage which is lost to habitable space measures 2.28m x 4.91m according to drawing SYC-02 Rev 1.4, garages of this size are considered within national guidance to now be insufficient in size to accommodate a parked vehicle. Research presented within Manual for Streets suggests that up to 50% of garages are used for purposes other than the parking of a private vehicle. Additionally, the PMPDG requires garages to measure 3m x 6m in order to be considered suitable for parking. Therefore, the loss of garage is not considered to necessarily represent loss of parking.

Emergency Vehicle Access

In accordance with Manual for Streets Paragraph 6.7, the entirety of a dwelling must be within 45m from the edge of the highway so an emergency vehicle can gain access. This is the case at this site with all of the proposed extensions being within this 45m.

Conclusion

HCC as Highway Authority has considered the application and are satisfied that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway and therefore, has no objections on highway grounds to this application.

4.1.2 Croxley Green Parish Council – [Objection, called into committee]

Croxley Green Parish Council objects to the application. Having reviewed the application CGPC shares the concerns raised by neighbouring residents particularly regarding the loss of light as well as the proximity of the development to the neighbouring kitchen, which would have a negative impact on privacy and quality of life.

Furthermore, the Parish Council objects to the proposed front extension as it would significantly disrupt the existing street scene. The extension would obstruct views of the green space at the front of the property, which contributes to the character of the area. This obstruction would diminish the openness that is central to the local aesthetic and community feel.

The proposed development is also contrary to Policy CA2 of the Croxley Green Neighbourhood Plan, which seeks to preserve the character and appearance of the streetscape, ensuring that new developments respect the existing architectural and environmental context., In light of these issues, CGPC objects to the application. Should the planning officer be minded to approve, the Parish Council formally requests that the application be referred to the Three Rivers District Council Planning Committee for further consideration.

4.1.3 Canal and River Trust – No comment.

4.1.4 No additional comments were received during re-consultation.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 6. No of responses received: 3 (objections).

4.2.2 Summary of responses:

- Loss of light and loss of sunshine in the garden will be blocked from the first-floor extension.
- Front extension large and overbearing impact.
- Loss of natural light from front extension. Mid terrace house with only light served from the front window. The kitchen will be dark as a result of the front extension.
- Alteration of the front view of houses, all the houses are the same. The proposal will create an anomaly within the street scene.
- If the application goes ahead, it will create a reduction in the value of house.
- Will effect happy home life.
- Will alter the terrace set which all have not been changed.
- Will set a precedent within the area.
- Noise and disruption will impact ability to enjoy home.
- Queries raise regarding number of contractors, skis and scaffolding.

4.2.3 The applicant has provided a response to the objections raised. Summary of applicant response:

- Objection comments are unfounded.
- Light will not be blocked.
- Several front extensions have already been made along the street, setting a clear precedent.
- The proposed extension does not obstruct the view of the green space.
- Rear extension reduced following pre-application process. Sunlight to no.71 not effected.
- Pre-application process followed to minimise impact.
- No substantive reason to refer the matter to the planning committee.

4.2.4 Site Notice: Expired 22.09.24.

4.2.5 Press notice: Not required.

5 Reason for Delay

5.1 Deferred for site visit.

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 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

In December 2023 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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

The Three Rivers Local Development Plan

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

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

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

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM6, DM8, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan (adopted December 2018). Policy CA2.

Other

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

7 Planning Analysis

7.1 Design and Impact on Character and Appearance of the host dwelling and wider 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' and 'conserve and enhance natural and heritage assets'.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials. As set out in Appendix 2, front extensions will be assessed on their individual merits but should not result in loss of light to windows of a neighbouring property nor be excessively prominent in the street scene. Two storey rear extensions in terms of size and volume, each application will be assessed on its individual merits according to the characteristics of the particular property.
- 7.1.3 The Croxley Green Neighbourhood Plan (adopted December 2018) states that new development should seek to conserve and, wherever possible, enhance the key elements of the character and appearance of the Character Areas.
- 7.1.4 Policy CA2 advises domestic extensions requiring planning consent should seek to conserve and enhance the Character Areas described in Appendix B through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted. Proposals should take account of the guidelines in Appendix C.
- 7.1.5 The application dwelling is located within Character area 5 which is described in Appendix B of the Croxley Green Neighbourhood Plan *"an estate of 1960s flat roofed terraced houses and flats with landscape green at the eastern end. It has similarities to the architecture designed by Eric Lyons for the developers Span located in south east London and Kent, including overhanging flat roofs, vertical tile hanging and horizontal proportions. Although individual houses have been much altered the layout is unusual and deserves special mention."*

- 7.1.6 Guidance within Appendix C of the Croxley Green Neighbourhood Plan advises that the proposal should address its visual impact in the street scape. Also, new front porches should complement the existing design and materials. They should not generally extend in front of the existing building line and they should not be permitted when they will reduce off street parking.
- 7.1.7 The front extension would extend across the full width of the dwelling. This would be out of character with the immediate terrace set that the application dwelling sits within, because the other two dwellings in this terrace have not been extended to the front. Therefore, it would be readily noticeable from the wider street and when read in conjunction with the terrace set would appear different and notably extended. Objection comments received during this application have raised concerns that the front extension would disrupt/be out of keeping within the street scene, would adversely affect views of the green space, openness of the area and local aesthetic. These comments are fully acknowledged, however, the front extension would be read against the backdrop of the two-storey dwelling behind and would be finished in a matching design to the remainder of the dwelling and wider terraced set. It would also have a limited depth of 2m and a flat roof with a height of 2.8m which would reduce its bulk and mitigate its prominence. Whilst protruding forward from the other dwellings within the set which have not been extended to the front, the extension would be set back from the front boundary by a minimum of 5m. Also, whilst differing from the immediate terrace set in design terms, it is acknowledged that there are several other examples nearby where houses have been extended to the front to a similar extent. This includes opposite neighbours Nos. 86, 94, 112 Valley Walk and 51 Sycamore Road. When considering the context of the dwelling within the wider street and vicinity, the proposed front extension would not be wholly out of character to other nearby dwellings. Due to this and its subservient features and design, it would not adversely affect the overall character of the dwelling or wider area.
- 7.1.8 The wider area contains a mixture of driveways of differing widths and depths. However, many houses have maintained some greenery to the front. Whilst this is a common feature, there are other nearby driveways including Nos, 49, 61, 67 and 83 Sycamore Road, and opposite 110 and 112 Valley Walk, which extend the full plot width, not unlike the proposed driveway extension in this application. When considering the context of the application site amongst other nearby dwellings, the loss of the front greenery would not amount to a change in overall character or detrimental harm. Furthermore, it should be noted that the extent of hard surfacing may be possible under Schedule 2, Part 1, Class F of the General Permitted Development Order 2015 (as amended) which provides permitted development rights within the curtilage of a house for any hard surface incidental to the enjoyment of the house. The comments by Croxley Green Parish Council are noted, however it is not considered that the front extension would obstruct views of green space to the front of the property. Whilst green space is being replaced by hard surfacing, some would remain closer to the front wall.
- 7.1.9 The wider area contains a mixture of dwellings, where some benefit from integral garages and others do not. Some have also converted the garages. Given this mixture, no objection is held to the proposed garage conversion. Furthermore, the installation of the front window in place of the garage door would be in keeping in size, design and profile to the existing fenestration.
- 7.1.10 The rear extension would add additional bulk to the existing dwelling which has already been extended at the ground floor. However, when considering the width and depth, the extension would not be disproportionate and would be of an appropriate scale for the existing dwelling. Furthermore, the first floor would not extend beyond the flanks and whilst it would be visible in some views from the street, it would not be a prominent addition. It would also maintain the characteristics of the existing dwelling including the roof height and formation as well as a matching external finish. These elements together would mitigate any appearance of bulk and massing.

- 7.1.11 Whilst adding some bulk, the proposed development would not result in a detrimental loss of character or appearance to the application dwelling or wider area. The proposal would accord with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 and Appendices B and C of The Croxley Green Neighbourhood Plan (adopted December 2018).
- 7.2 Impact on the amenities 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. The Design Criteria states that rear extensions should not intrude into a 45-degree splay line drawn across the rear garden from a point on the joint boundary, level with the rear wall of the adjacent property.
- 7.2.3 The adjacent neighbour to the west no.67 is set further back than the application dwelling and is set off the boundary. Due to this positioning, the proposed extensions would not amount to any harmful intrusion, loss of light or have an overbearing impact and therefore would not have an adverse impact on this neighbour.
- 7.2.4 Comments received during this application have raised concerns that the first-floor rear extension would overshadow and have an impact on the adjoining neighbour. These comments are fully acknowledged. The adjoining neighbour No.71 is not extended. The submitted plans indicate that the first floor would not intrude a 45-degree splay line when drawn from a centre point on the boundary line. This would accord with the guidance in Appendix 2 and is indicative that there would be no harmful loss of light or intrusion to the adjoining neighbour. It is noted that this neighbour is located to the east of the proposed development and due to this, there could be some overshadowing resulting from the rear extension which would likely be confined to the afternoon. When considering the set in distance of the extension from the boundary (3.3m) and the lack of intrusion into the 45-degree splay line, it is considered that the first-floor rear extension would not result in a harmful loss of light or overshadowing. It is also noted that this neighbour's rear amenity area would already be overshadowed to some extent in the afternoon by the existing single storey rear extension at the application dwelling and boundary treatment as well as this neighbour's own dwellinghouse (given the garden is north facing). It is therefore considered that the first-floor extension would not demonstrably add to the existing overshadowing or add any more harmful loss of light. Furthermore, when considering the roof height, form and depth of the extension, it is not considered that it would be an overbearing or un-neighbourly form of development.
- 7.2.5 The ground floor front extension would extend up to the boundary line with the adjacent neighbour No.71. Therefore, it would have some impact on this neighbour's outlook from the ground floor front window adjacent to the application site. It is acknowledged that objection comments have been raised that the front extension would have an overbearing impact on the adjoining neighbour and result in a loss of light. The front extension would be of a limited depth (2m) and height (2.8m) which would limit its impact on this neighbour. This neighbour benefits from a relatively deep front garden, at some 8m, and would retain an outlook from their front window primarily over this space which the 2m front extension at the application site would not intrude into. When considering sun orientation, the front extension would be close to this neighbour's front window, however, this neighbour's front window is south-facing which would ensure that adequate light would be maintained into this window throughout the day. Furthermore, when considering overshadowing, this would be minimal and limited to the afternoon given the extension would be west of this neighbour

and be of a limited height and depth. When accounting for the south-facing window, the limited height and depth of the front extension and the lack of intrusion in terms of outlook, it is considered that there would be no detrimental harm arising from the front extension on this neighbour.

7.2.6 When considering privacy, the proposal would have rear and front-facing windows which would have an outlook over the application site and would not result in any unacceptable overlooking or loss of privacy to any neighbour.

7.2.7 The garage conversion and driveway extension would not result in any adverse harm to any neighbour.

7.2.8 The proposal would accord with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.3 Rear Garden Amenity Space Provision

7.3.1 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.

7.3.2 The proposal would not result in the provision of any additional bedrooms or loss of existing amenity space.

7.4 Wildlife and Biodiversity

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

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD. 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. The application is accompanied by a biodiversity checklist which 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 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 Trees and Landscaping

- 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.
- 7.6.2 The application site is not located within the Conservation Area nor are there any protected trees on or near the site.

7.7 Highways, Access and Parking

- 7.7.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.7.2 Appendix 5 sets out that a 3-bedroom dwelling would require 2 assigned spaces.
- 7.7.3 The proposal would not result in the creation of any additional bedrooms. However, it would result in the loss of a garage parking space. The proposal would extend the front driveway which would provide 2 off-street parking spaces, which would be sufficient to serve the dwelling. Highways Officers was consulted during this application and raised no objection to the proposed driveway and access. The County Council request that informatives be added in relation to the storage of materials, obstruction of the highway, debris and a vehicle cross over. To ensure that the parking requirement can be met, it is considered necessary and reasonable to ensure that the driveway extension is delivered and secured by condition.

8 **Recommendation**

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

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

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

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: SYC-01 REV 1.1; SYC-01 REV 1.4; SYC-03 REV 1.4; SYC-04 REV 1.4; SYC-05 REV 1.4; SYC-06 REV 1.6; SYC-07 REV 1.4; SYC-08 REV 1.4; SYC-09 REV 1.4; SYC-10 REV 1.4; SYC -11 REV 1.4; SYC-12 REV 1.4; SYV-00 REV 1.0.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 and Appendix B and C of The Croxley Green Neighbourhood Plan (adopted December 2018).

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 The parking and turning spaces shall be constructed in accordance with the approved plans prior to the first occupation of the front extension hereby permitted. The parking and turning spaces shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

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

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

8.2 Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 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) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

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.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions 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 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developerinformation/businesslicences/businesslicences.aspx> or by telephoning 0300 1234047.
- 16 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047
- 17 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 18 New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access

affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.