

PLANNING COMMITTEE – 22 May 2025

25/0658/FUL - Conversion of existing garage to habitable accommodation including alterations to fenestration and extension to existing hardstanding to frontage at 10 Oak Green, Abbots Langley, Hertfordshire, WD5 OPG.

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 12.06.2025

Ward: Abbots Langley And Bedmond
Case Officer: Danielle Kavanagh

Recommendation: That subject to no new material planning considerations being raised during the open consultation period, that full planning permission be GRANTED subject to conditions.

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:
[25/0658/FUL - Conversion of existing garage to habitable accommodation including alterations to fenestration and extension to existing hardstanding to frontage.](#)

1 Relevant Planning History

- 1.1 25/0645/CLPD - Certificate of Lawfulness Proposed Development: Construction of outbuilding to rear, loft conversion including rear dormer and front rooflight – Pending consideration.

2 Description of Application Site

- 2.1 The application site contains a semi-detached two-story dwelling, located on the northern side of Oak Green, Abbots Langley. Land levels on the site rise from front to rear in a south to north direction.
- 2.2 The streetscene of Oak Green is characterised by a variety of redbrick dwellings, including terraced, semi-detached and link detached dwellings, set on gently staggered building lines.
- 2.3 The application dwelling is finished in mixed red brick with tile hanging at part of the first floor level. The dwelling benefits from an integrated garage. Within the frontage, there is space for one car to park and an area of lawn. To the rear of the dwelling is a patio with the majority of the amenity area laid to lawn. All boundaries to the rear of the dwelling are marked by close-board wooden fencing.
- 2.4 The attached semi-detached neighbour No. 11 Oak Green is built in a similar style to the host dwelling and sits on the same land level. The neighbour to the west No. 9 Oak Green is a link detached red brick dwelling. This neighbour is set forward of the host dwelling.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the conversion of the existing garage to habitable accommodation, including alterations to fenestration and an extension to the existing hardstanding to the frontage.
- 3.2 The garage conversion would result in the existing garage door, in the front elevation of the host dwelling, being replaced by a triple casement window to match the existing windows in the front elevation, and a 1.4m high wall constructed beneath. The new window and wall would be flush to the front elevation of the dwelling. The window would be UPVC and the wall would be finished in brickwork to match the existing.

- 3.3 The driveway extension would require the removal of an area of lawn and the creation of an area of water-permeable hardstanding. The extension would be splayed and measure 2.5m wide at the front boundary, increasing to 6.6m at the rear of the frontage, it would be 5.5m deep, the resulting area would be 24.8 sqm. It would be constructed on the western side of the existing driveway. The driveway extension would be constructed from porous material and have an additional drainage grill at the front boundary. The proposal would create space for two cars to park.
- 3.4 Within the rear elevation of the dwelling there are changes to the existing fenestration proposed. At ground floor level two sets of patio style doors and a triple casement window would be removed, and a new larger opening would be created to accommodate a set of aluminium bifold doors, that span the majority of the width of the dwelling. At first floor level a triple casement window would be replaced with a window of the same size, and two smaller windows would be replaced by one triple casement window; the new windows would be UPVC and match the existing.

4 Statutory Consultation

- 4.1 National Grid: [No response received]
- 4.2 Abbots Langley Parish Council: [No response received]
- 4.3 Hertfordshire County Council Footpath Section: [No response received]

Officer note: The consultation period is open until 16.05.2025 for the above consultees.

4.4 Public/Neighbour Consultation

- 4.5 Neighbours consulted: 27
- 4.6 Responses received: 0

Officer note: The consultation period is open until 16.05.2025. Any comments received will be reported verbally to the committee.

5 Reason for Delay

- 5.1 No Delay

6 Relevant Planning Policy, Guidance and Legislation

- 6.1 Legislation
- 6.2 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38 (6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).
- 6.3 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 6.4 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.
- 6.5 The Environment Act 2021.
- 6.6 National Planning Policy Framework and National Planning Practice Guidance

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

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

6.7 The Three Rivers Local Plan

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

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

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

7 Planning Analysis

7.1 Impact on the character and appearance of the host dwelling

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
- 7.1.3 The proposed garage conversion would be readily visible from the streetscene due to its location at ground floor level of the front elevation of the dwelling. The existing garage would be converted to form habitable accommodation, involving the modification from a garage door to three casement window with a wall beneath. The plans indicate that the new window would be UPVC and the wall would be red brick to match the existing external finishes, which would help the development to blend with the host dwelling.

- 7.1.4 The development would appear to be the first garage conversion in this part of Oak Green. Whilst the loss of the garage door would alter the appearance of the dwelling, it is not considered that it would be excessively prominent or cause such harm to the streetscene to justify the refusal of planning permission.
- 7.1.5 The proposed driveway extension would result in the removal of an area of lawn and an increase in usable driveway space for the host dwelling, providing an additional assigned parking space within the frontage. While the loss of an area of soft landscaping is regrettable, an area of soft landscaping adjacent to the boundary with No. 9 would be maintained which would soften the appearance of the driveway and ensure the character and appearance of the street scene is maintained.
- 7.1.6 The proposed fenestration changes, with the exception of the garage conversion covered above, are contained to the rear of the dwelling and not visible from the streetscene. Therefore, they are not considered to have any adverse impact on the character of the host dwelling or streetscene and are acceptable in this regard.
- 7.1.7 In summary, the proposed development would not 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) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013)

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 garage conversion would involve the modification from a door to a casement window, which would be flush with the front elevation of the dwelling. The front window would face the application dwelling's frontage, and it is not considered that overlooking would be facilitated.
- 7.2.3 The proposed driveway extension would result in an increase in hardstanding to the frontage of the host dwelling of 24.8 sqm. This change is not considered to be of a scale that would be harmful to or impact neighbouring amenity.
- 7.2.4 Fenestration changes to the rear largely replace existing fenestrations of comparable scale. The proposed bifold doors would increase the amount of glazing at the rear of the dwelling at ground floor level marginally, however, it is not considered to be of a scale that would result in any increase to overlooking of neighbours in excess of the existing glazing situation. The rear boundaries are marked by fencing of approximately 1.8m, which mitigates any potential for overlooking of neighbours from the increased glazing at ground floor level.
- 7.2.5 The proposed development would therefore be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013).

7.3 Highways & Parking

- 7.3.1 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 benefits from 2 spaces (one on the drive and one in the garage).

7.3.2 The proposed development would result in the loss of one assigned parking space via the garage conversion, however, an extension to the existing driveway is proposed which would result in two assigned parking spaces being provided. Therefore whilst there would be a shortfall of 1 space, this is reflective of the existing situation and there would be no increased shortfall. A condition would be added to any grant of consent requiring the driveway alterations to be implemented prior to the conversion of the garage.

7.3.3 As noted above, the driveway is proposed to be constructed in a permeable material with a drainage grill at the front boundary to capture any surface run off from the hard standing. These measures will ensure that surface water is disposed of within the site in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

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 not encroach upon the rear amenity space of the host dwelling, 132 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.

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 subject to no new material planning considerations being raised, that PLANNING PERMISSION IS GRANTED subject to the following conditions:

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

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

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 2448SK200A.

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) and Policies DM1, DM6, DM8 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013).

- 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 Prior to the conversion of the garage into habitable accommodation hereby permitted, the driveway shall be extended as shown on plan 2448SK200A in order that it can accommodate two vehicles. The driveway extension shall be undertaken in a permeable material or provision made for surface water run off 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

- 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>.