

PLANNING COMMITTEE – 23 October 2025

24/1812/FUL – Demolition of existing outbuildings; subdivision of the site and construction of five two-storey residential dwellings including parking, landscaping, cycle and refuse storage at LAND REAR OF 219 NEW ROAD, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3HE

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 24.01.2025
Extension of Time: 31.10.2025

Ward: Dickinsons
Case Officer: Tom Norris

Recommendation: That following the completion of a S106 agreement to secure a financial contribution toward affordable housing, Planning Permission be granted.

Reason for consideration by the Committee: Called in by Three Planning Committee Members unless Officers are minded to refuse permission, to discuss matters around back-land development, parking, and neighbour concerns.

To view all documents forming part of this application please go to the following website:
[24/1812/FUL | Demolition of existing outbuildings; subdivision of the site and construction of five two-storey residential dwellings including parking, landscaping, cycle and refuse storage. | Land Rear Of 219 New Road Croxley Green Rickmansworth Hertfordshire WD3 3HE](#)

1 Relevant Planning History

- 1.1 25/0007/FUL - Erection of single storey front infill extension and rear infill extension; internal alterations; and loft conversion including rear dormer - 21.03.2025 – Permitted.
- 1.2 24/1657/PDM - Prior Approval: Change of use of the existing first floor from commercial space (Class E) to one residential unit (Class C3) - 12.12.2024 – Withdrawn.
- 1.3 23/1253/PDM - Prior approval: Change of use from existing ground floor commercial unit (Class E) to 1no. residential unit (Class C3) - 24.11.2023 – Permitted.

2 Description of Application Site

- 2.1 The application site is located on the northern side of New Road, Croxley Green.
- 2.2 The application site consists of a parcel of land, which spans across beyond the rear of the rear amenity gardens of no.219 to no.237 and measures approximately 800sqm in total area. Access to the site is gained from New Road through a gap between Nos. 219 and 223.
- 2.3 The surrounding land uses are predominantly residential, with some commercial and community uses further to the west along New Road. The application site also adjoins Community Way which in this location consists of a footpath and access road which links Barton Way to a yard adjacent to 35 and 37 Springfield Close, with footpath Croxley Green 010 providing a walking route through to Springfield Close. Beyond this road to the north is the Barton Way recreation ground. The site does not propose access to this land.
- 2.4 This application site is mostly open, having previously been occupied in a yard/storage use and contains some single-storey buildings.

3 Description of Proposed Development

- 3.1 Full planning permission is sought for the demolition of existing outbuildings; subdivision of the site and construction of five two-storey residential dwellings including parking, landscaping, cycle and refuse storage.

- 3.2 The proposed dwellings would be a pair of semi-detached dwellings and three terraced dwellings, in a linear row. The dwellings would be spaced a minimum of 3.0m from the flank (east and west) boundaries and set back 1.0m from the northern boundary. The dwellings would each have a width of 5.2m. There would be a spacing of 3.6m between the pair of semi-detached dwellings and the terraced row. The semi-detached dwellings would have a depth of 10.2m and the terraced row would have a depth of 9.0m. The dwellings would have gabled roof forms, with an eaves height of 5.3m, and an overall height of 7.6m.
- 3.3 The proposed dwellings would have their main front entrance doors within their southern elevation. The dwellings would all contain ground and first floor level glazing in their front and rear (north and south) elevations. The dwellings would have an exterior finish consisting of facing brick, aluminium windows, cladding. The dwellings would each contain a solar panel array on one of their respective roof slopes.
- 3.4 The proposed dwellings would contain private amenity gardens to the southern side of the properties. These would range in area from between 22sqm to 77sqm. The vehicle access to the site would remain as existing from New Road. There would be an inward opening electric gate at the vehicle entrance. There would be a parking and turning area, providing 6 car parking spaces, all with electric vehicle charging. There would also be a bin storage area within the car park. There would be pedestrian access to the site via Community Way.
- 3.5 Amended plans were submitted during the application. The amendments made minor adjustments to the position of the proposed dwellings, moving them in approximately 1 metre from each flank boundary and reducing the space between the two sets of dwellings. The proposed central parking area between the dwellings was removed, including the proposed vehicular access from Community Way. This vehicle access has been replaced by a fence. The area previously proposed for parking is therefore a communal area.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Objection]

First response (31.12.2024)

The Parish Council welcomes the proposed development of this site; however, we wish to raise the following objections and comments:

We object to the inclusion of an electric gate onto New Road, as such features are specifically excluded under the policies of the Croxley Green Neighbourhood Plan (CGNP).

Additionally, the Parish Council has concerns about the layout of the development. It may be more appropriate and practical to orient the front doors towards Community Way to better integrate with the surrounding streetscape and promote accessibility.

We also highlight the need for adequate provision for secure bicycle parking and safe storage for buggies and similar items, which are essential for ensuring the development is both functional and sustainable for future residents.

We urge the Planning Authority to consider these points carefully when assessing the application and request that the necessary adjustments are made to address these concerns. If the officer is minded to approve, CGPC do not request call in to the TRDC planning committee.

Second response (20.03.2025) following receipt of amended plans

Croxley Green Parish Council Objects to this application for the following reasons:

CGPC maintains its concern that this is an overdevelopment of the site, there is inadequate parking for the houses, and there is a lack of facilities for storage of refuse bins, prams and bicycles.

CGPC holds its objections to the electronic gate onto New Road, as such features are specifically excluded under the policies of the Croxley Green Neighbourhood Plan (CGNP).

CGPC Supports comments of objection from residents.

4.1.2 Hertfordshire County Council as 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 subject to the following conditions:

1. Provision of Internal Access, Parking & Turning Areas

Prior to the first occupation of the development hereby permitted the proposed internal access, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Construction Management

No development shall commence until a Construction Management Plan/Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of: a. Construction vehicle numbers, type, routing; b. Any traffic management requirements c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); d. Siting and details of wheel washing facilities; e. Timing of construction activities to avoid peak periods; Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informatives

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) 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.

AN) 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>

AN) 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.

Comments

The proposal comprises of a development of 5 residential dwellings and associated works on land at the rear of 219 New Road, Croxley Green. New Road is designated as an unclassified local distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense. New Road is classed as P3/M2 (High Street) on HCC's Place & Movement Network.

There is a car park and access road to the north / rear of the site which provides access to a Three Rivers District Council (TRDC) green and play area – neither the access road or car park are considered to be highway maintainable at public expense. However public footpath Croxley Green 010 does run through the car park and access road and therefore provides a public route on foot.

A Transport Statement (TS) has been submitted as part of the application.

Access

There is an existing dropped kerb fronting the full width of the site, which is proposed to be utilised to access the driveway and parking area for the new dwellings. The proposed access drive is between 2.7m and 6m wide and provides access to 6 car parking spaces.

There was also originally proposed to be a new vehicle access from the private access road to the north of the site but now appears to have been removed from amended drawing number 219NR-A-01-002. To note: If there is any vehicle access to be proposed from the north of the site then the applicant would need the appropriate private vehicular access rights via this route.

The levels of visibility are considered to acceptable and sufficient when taking into account the speed limit and the existing nature of the accesses and number of parking spaces and vehicular movements associated with the development. The proposals are therefore in accordance with HCC's Place & Movement Planning and Design Guidance (PMPDG) and Manual for Streets in this respect.

An on-site refuse and recycling in included as part of the proposals. The collection method for refuse / recycling would also need to be confirmed as acceptable by TRDC as waste collection authority, including any arrangements on collection days as there is a proposed entrance gate, which refuse operatives would presumably need access via.

The proposed access route is between 2.7m and 6m, which would not be sufficient to provide access for a fire tender (as per Hertfordshire Fire and Rescue's guidance which requires a 3.7m wide access route). A fire tender would be required to be able to get to within 45m of all parts of the footprint of any proposed dwellings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. This is to ensure that the proposals are in accordance with MfS, RIH and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates). This would not be possible on the plans as proposed at this stage and therefore

the application has been forwarded onto Fire & rescue for comments, recommendations or objections in which they may have e.g. provisions would need to be considered including sprinkler systems.

Trip Generation

A trip generation assessment for the proposed use has been included as part of the TS, the details of which have been based on trip rate information from the TRICS database. This approach is considered to be acceptable by HCC as Highway Authority. The level of trips and impact on the surrounding highway network would not be considered to be significant or severe.

Parking

The proposal includes the provision of 6 on site car parking spaces (in the amended plan). It is acknowledged that the levels of parking are lower than those standards as laid out in TRDC's parking standards. HCC as Highway Authority's main concern would be any negative effect the proposal would have on the safe use on the surrounding highway network due to the level of car parking. However, it is unlikely that any effects would be significant enough to recommend refusal from a highway point of view, particularly when taking into consideration the town centre location, potential to promote sustainable travel options and the existing parking restrictions in the vicinity of the site.

TRDC as the parking and planning authority for the district would ultimately need to be satisfied with the overall proposed parking levels taking into account their parking standards, use class, accessibility zone and the local area.

One active electric vehicle charging point is to be provided each parking space, which would be supported by HCC as Highway Authority to ensure accordance with Building Regulations and LTP4, Policy 5h, which states that developments should "ensure that any new parking provision in new developments provides facilities for electric charging of vehicles".

Conclusion

HCC as Highway Authority considers that the proposal would not have an impact on the safety or severe impact on the operation of the surrounding highway. Therefore, HCC as Highway Authority would not wish to object on highway grounds to the application, subject to recommending the inclusion of the above planning conditions, highway informatives and comments in respect to emergency vehicle access (which would require input from Hertfordshire Fire & Rescue. The recommended condition in relation to construction management would also be required when taking into account the tight access into and out of the site.

Officer comment: Officers discussed the proposals with Hertfordshire Fire & Rescue. They noted that the position of the dwellings to the nearest fire appliance is in the region of 90m. The applicant would therefore have to consider measures such as the installation of a sprinkler system to meet the requirements of Fire Safety: Approved Document B Volume 1. The applicant confirmed and provided additional information, confirming that a sprinkler system would be installed to meet this requirement.

4.1.3 HCC Footpath Section: [No response received]

4.1.4 National Grid: [No response received]

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 28.

4.2.2 Responses received: 13 (10 Objections, 3 General)

4.2.3 Neighbours were consulted on 02.12.2024 and re-consulted on 05.03.2025 following receipt of amended plans.

4.2.4 Summary of responses:

- High density development in low density area
- Proposal does not respect character of area
- Overlooking concerns
- Overdevelopment of plot
- Highway safety concerns
- Limited contribution to housing supply
- Concerns over disruption from development
- Loss of business
- Impact upon parking
- Impact on ecology
- Impact upon private right of way
- Impact upon view of park
- Concerns over emergency service access
- Recommendation for ecological conditions relating to the submitted report
- Concerns that location of EV charging points will cause disturbance.

4.2.5 Site notice posted: 12.12.2024, expired: 05.01.2025.

4.2.6 Press notice published: 13.12.2024, expired: 06.01.2025.

5 Reason for Delay

5.1 Officer negotiation over amendments and technical matters.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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

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

6.1.4 The Environment Act 2021.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

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

6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the

benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

- 6.2.3 The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.
- 6.2.4 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12.
- 6.2.5 The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM4, DM6, DM8, DM10, DM13 and Appendices 2 and 5.
- 6.2.6 The Site Allocations Local Development Document (SALDD) Proposed Submission (November 2012) was adopted on 25 November 2014 having been through a full public participation process and following Examination in Public. Policy SA1 is relevant.
- 6.2.7 The Croxley Green Neighbourhood Plan (December 2018) is a material planning consideration. The neighbourhood plan seeks to protect the character and appearance of the area and requires extensions to be well designed. Relevant policies include CA1, CA2 and Appendix B.

6.3 Other

- 6.3.1 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).
- 6.3.2 Affordable Housing SPD (June 2011).

7 Planning Analysis

7.1 Principle of Development

- 7.1.1 The proposed development would result in a net gain of five dwellings. The site is not identified as a housing site in the Site Allocations LDD (SALDD) (adopted November 2014). However, as advised in this document, where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national and local policies.
- 7.1.2 Paragraph 124 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 125 c) states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. The land in this case is previously developed brownfield land.
- 7.1.3 Core Strategy Policy CP2 advises that in assessing applications for development not identified as part of the district's housing land supply including windfall sites, applications will be considered on a case-by-case basis having regard to:
 - i. The location of the proposed development, considering the Spatial Strategy

- ii. The sustainability of the development and its contribution to meeting local housing needs
- iii. Infrastructure requirements and the impact on the delivery of allocated housing sites
- iv. Monitoring information relating to housing supply and the Three Rivers housing targets.

7.1.4 The application site is within Croxley Green which is identified as a Key Centre in the Core Strategy. The Spatial Strategy of the Core Strategy advises that new development in Key Centres will be focused predominately on sites within the urban area, on previously developed land, and Policy PSP2 advises that Key Centres are expected to contribute 60% of housing supply over the plan period.

7.1.5 The application site is a former commercial site, consisting of hardstanding, a large brick-built building with a gabled roof and other more low-key storage structures. The site constitutes previously developed land. It is considered that the loss of the current commercial use is acceptable. The land upon which the dwellings are proposed includes a mix of indoor and outdoor storage land, formerly associated with the ground floor unit at no.219. It is noted that this has been vacant for several years and has been subject to a change of use application for its conversion to residential.

7.1.6 The proposed development would constitute the redevelopment of a previously developed site, which is supported by national and local policies, as set out above, which indicate that new residential development should be focussed on sustainable locations within established settlements, such as this. Any proposal would be required to have regard to Policy PSP2 in terms of its design which is discussed in the following sections of this report.

7.2 Housing Mix

7.2.1 Policy CP3 sets out that the Council will require housing proposals to consider the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. The South West Herts Local Housing Needs Assessment Update (LNHA) was published in March 2024 and is the most recent update to the SHMA. The recommended mix for market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	Market	Affordable home ownership	Affordable Housing (Rented) General Needs	Older Persons
1-bedroom	5%	20%	20%	50%
2-bedrooms	20%	40%	30%	50%
3-bedrooms	45%	30%	35%	
4+-bedrooms	30%	10%	15%	

7.2.2 It is considered that a development of this nature, for two three-bedroom dwellings and three two-bedroom dwellings, would not prejudice the ability of the Council to deliver overall housing targets and the development is therefore considered acceptable in accordance with Policy CP3 of the Core Strategy (adopted October 2011).

7.3 Affordable Housing

7.3.1 **Appendix A** of this report sets out the position of the Council and evidence relating to the application of the affordable housing threshold in Core Strategy Policy CP4: Affordable Housing.

7.3.2 As a net gain of five units, the proposed development would be liable for a commuted sum payment towards affordable housing. This site lies within the “The Langleys and Croxley”

market area where the figure is £750 per square metre. The proposed development would require an affordable housing contribution of £198,500 (plus indexation from June 2011 when the AHSPD was adopted).

7.3.3 The application was accompanied by a Viability Assessment which concluded that the proposed development could not support the full policy compliant amount and remain viable, however could support a reduced amount. This assessment was reviewed by the Council's independent viability consultant, Adams Integra, who concluded that the full policy compliant contribution could be made, and the development remain viable. The applicant has agreed that the policy compliant contribution of £198,500 (plus indexation from June 2011 when the AHSPD was adopted) will be paid.

7.3.4 In summary, subject to the completion of a Section 106 agreement to secure the affordable housing contribution, the proposed development would be acceptable in accordance with Policy CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing Supplementary Planning Document (approved June 2011).

7.4 Design and impact upon Character & Street Scene

7.4.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

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

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

7.4.3 The Croxley Green Neighbourhood Plan (adopted 2018) is relevant to this proposal. Policy CA1 relates to new developments and states that this should seek to conserve and, wherever possible, enhance the key elements of the character and appearance of the Character Areas. The application site is within Character Area No.3.

7.4.4 The proposed development would be sited on a former commercial yard, which is surrounded by two-storey residential development to the east, west and south with a play area and field to the north. The proposal would therefore result in a backland development which Policy DM1 of the Development Management Policies LDD (adopted July 2013) details will only be supported where it would not result in a layout unable to maintain the character of the area.

- 7.4.5 In terms of layout, the development would be served by an existing access off New Road. Dwellings fronting New Road follow a linear form. The site is also close to the junction between New Road and Barton Way, therefore sides on to plots containing two-storey dwellings to the west. The site is also adjacent to a service road, serving the play area and field to the north. It is noted that similar examples of tandem development exist on Community Way and along New Road. These include Evans Close, Tussauds Close and Hollowtree Mews. It is therefore considered that the proposed layout would not introduce a development to the rear of existing dwellings which would be wholly out of character when considering the existing pattern of development.
- 7.4.6 Built form in the immediate vicinity is of a two-storey nature. Whilst of a traditional design there is a mixture of hipped and gabled roof forms and variation in materials. The proposed development would be two-storeys and would therefore reflect that existing massing. The proposed elevations show that the ridge height would be comparable to those of adjacent dwellings.
- 7.4.7 The proposed development would introduce two-storey family dwellings in an area predominantly characterised by the same form of development. The proposed development is therefore in keeping with the character of the area in this regard.
- 7.4.8 The proposed buildings would reflect the general design principles of the surrounding neighbouring buildings in that they would contain pitched roofs with gabled end features. The dwellings would contain some more contemporary design features that would overall make them appear different to that of the existing neighbouring properties. However, the introduction of a building which does not directly replicate the design of existing built form does not automatically cause harm. Paragraph 135 (c) of the NPPF states that, in achieving well-designed places, planning decisions should not prevent appropriate innovation or change.
- 7.4.9 The design features of the proposed buildings would introduce a sense of variation within the area which would not have a negative impact. The siting of the development means that views would be available of it from public vantage points however, as discussed above, it is considered that these would not be prominent or otherwise obtrusive.
- 7.4.10 Guidance in Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should be set in from flank boundaries at first floor level by 1.2 metres to ensure appropriate spacing and prevent a terracing effect. In high density areas a minimum of 1 metre will be considered. Both the northern and southern blocks would be sited at least 3 metres from the flank boundaries. Due to the siting of the development to the rear of existing development it would not result in a terracing effect. Its spacing allows the plot to not appear overdeveloped.
- 7.4.11 The height of the proposed buildings would not appear disproportionate in scale to that of the surrounding built form. While the development would increase the level of built form within the site, it would also introduce soft landscaping, and it is not considered that the overall size and scale of the scheme would appear cramped or have an adverse impact on the character of the area. Spacing would be maintained around the dwellings, relative to the boundaries, and within the site, including a separation between the semi-detached dwellings and terraced row. It is considered that sufficient spacing would be maintained between the proposed buildings and neighbouring buildings as to prevent a cramped feature and the overall size, scale and footprint of the buildings would not result in overdevelopment or appear out of character.
- 7.4.12 The footprint of the building would be linear across the principal part of the site with the two sets of two-storey dwellings. This would serve to break up the visible mass and bulk of the development.

- 7.4.13 It is considered that the general layout of the site is acceptable, including the proposed siting of the parking area and bin storage. It is noted that the site is constrained somewhat by its shape, however the layout of these features is acceptable and would not harm the character of the area.
- 7.4.14 Materials proposed include facing brick and cladding. Samples and details of all external materials would be required to be submitted by condition to ensure the development has a satisfactory overall appearance.
- 7.4.15 It is considered appropriate to remove permitted development rights for the site, including for further extensions and additions to the roof, in the interests of preventing an overdevelopment of the plot.
- 7.4.16 In summary, the proposed development would make efficient use of previously developed land and, subject to conditions, would not harm the character of the area. The development would not appear unduly prominent in the street scene or result in adverse impacts on the character or appearance of the area. The proposal would therefore be acceptable in this regard in accordance with 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 CA1 of the Croxley Green Neighbourhood Plan (adopted 2018) and the NPPF (2024).

7.5 Impact on Neighbours

- 7.5.1 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. The Design Criteria at Appendix 2 states that two-storey development should not intrude the 45-degree splay line measured from a point on the shared boundary level with the rear wall of the dwelling. It also states that distances between buildings should be sufficient to prevent overlooking, particularly from upper floors. As an indicative figure, 28 metres should be achieved between the faces of single or two storey buildings backing onto each other.
- 7.5.2 A policy compliant distance of 35m would be achieved from the south elevation of the proposed dwellings to the two-storey rear of the dwellings on New Road (no.223 to 237). It is noted that this distance would be approximately 30m when factoring the ground floor depths of these properties. A policy compliant distance of 28m would be achieved from the side of the proposed dwellings to the two-storey rear of the dwellings on Barton Way (no.2A and 2B).
- 7.5.3 It is acknowledged that the proposed dwellings would be visible from neighbouring plots to varying degrees, including from neighbours on New Road and Barton Way. This includes visibility of the development mostly from first floor level within neighbouring dwellings and their amenity gardens. Visibility would be more limited within the ground floor level inside these dwellings. The proposed development would be set in from its shared boundaries; approximately 8m from its shared boundary with the plots on New Road and approximately 2.5m from its shared boundary with the plots on Barton Way. While the proposed development would be visible, given its distance, as mentioned above, it is not considered that it would be overbearing or result in a loss of light to surrounding neighbours.
- 7.5.4 The proposed dwellings would contain front and rear (north and south) facing glazing at ground and first floor level. It is not considered that the ground floor glazing in either elevation would cause any degree of overlooking to any neighbour. The first-floor north-facing glazing would largely overlook the Barton Way playing area and fields. There would

be some very limited capacity for these windows to seek oblique views of residential plots on Barton Way (no.2-8) however it is not considered that this would result in harm.

- 7.5.5 The first-floor south facing glazing would face towards the rear aspect of the residential properties on New Road (no.223 to 237). As set out above, there would a distance of at least 30m between these windows and the rear of the properties on New Road. There would be two windows to each property at first-floor level, one serving a bedroom and one serving a bathroom. It is noted that there would be a heightened perception of being overlooked from the properties on New Road. It is acknowledged that these properties would have grown accustomed to a site largely free from development including windows. The development would contain a total of five clear glazed windows with a Juliet balcony serving a habitable room (bedrooms) which would span across the rear aspect of 8no. existing properties. There would be 5 additional windows however these would serve bathrooms and would therefore be obscure glazed and top-level opening only and would be conditioned to be as such. While it is acknowledged that there would be a degree of overlooking, given the policy compliant distance and small quantity of windows, it is not considered that significant or demonstrable harm would arise from the proposal. It is noted that a greater degree of spacing is more characteristic of the area however, more limited distances and a degree of inherent overlooking is not uncommon. Local examples of similar relationship distances include between Cherry Croft and Dickinson Square and The Crescent. Overall, it is considered that, on balance, the proposed development is acceptable in terms of its overlooking impact.
- 7.5.6 The proposed dwellings would not contain any flank glazing therefore it is not considered that any overlooking harm would arise to the dwellings on Barton Way, or New Road or Springfield Close. A condition will be included on any permission granted preventing the addition of any flank windows without planning permission.
- 7.5.7 In terms of their relationship with one another, it is considered that the proposed development would not cause harm by virtue of overlooking, an overbearing impact or loss of light. The proposed dwellings would contain ground floor glazing facing community way however the dwellings would be set back approximately 1.0m from this boundary therefore would have a defensible boundary, including a wall and low level planting.
- 7.5.8 It is considered that the proposed development would not cause harm through its use in terms of noise and disturbance to any neighbours, including to no.219 and no.223 New Road. There would not be any real difference in terms of car comings and goings, and noise associated with this compared with its former use as a storage yard.
- 7.5.9 In summary, the proposed development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.6 Highways & Parking

- 7.6.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards, which dictate the following:
- 2-bedroom dwellings: 2 spaces per dwelling (1 assigned space)
 - 3-bedroom dwellings: 2.25 spaces per dwelling (2 assigned space)
- 7.6.2 The proposed development would be accessed via the existing vehicular access point from New Road. An electric gate would be provided however there would be sufficient space for vehicles to wait off the highway for the gate to open before entering the site. The plans show the proposed vehicle gate to be inward opening however a condition will be included on any permission to ensure this is built and maintained as such. There is sufficient space within

the parking area to turn and manoeuvre to exit the site in a forward gear. Hertfordshire County Council as Highway Authority (HCC) were consulted on the proposed development and raised no objection to the proposed access arrangement and use on highway safety grounds. HCC recommended the inclusion of a condition for a construction management plan and a condition to ensure that the proposed parking layout is provided in accordance with the submitted plans. HCC also recommended the inclusion of highways informatives.

- 7.6.3 Three Rivers District Council are the parking authority and therefore must be satisfied with the proposed parking provision. The parking standards dictate that the development would demand 7no. assigned spaces and 10.5no. total spaces. The proposed development provides 6no. car parking spaces, each with an electric vehicle charging point. There would therefore be a shortfall in 2no. assigned spaces and 4.5no. total spaces.
- 7.6.4 While there would be an overall shortfall, the parking provision allows that each dwelling would have at least one assigned car parking space. For the 3no. two-bedroom dwellings, this would meet the parking standards for assigned spaces. It is also factored into consideration that the location of the site is very sustainable, with good access to local shops, pubs, cafes, restaurants, and services (New Road – within 200 yards / 2-minute walk) and excellent transport links (Croxley Underground Station and bus stops with links to Rickmansworth and Watford – within 0.2 miles / 4-minute walk). Overall, the application site is excellently located in terms of its access to amenities via sustainable transport links, therefore the shortfall in parking provision in this case is acceptable.
- 7.6.5 A condition will be included on any permission for the parking spaces to be permanently available for residents and visitors only. Cycle storage would be provided in individual units within the proposed amenity gardens to the dwellings.
- 7.6.6 Officers discussed the proposals with Hertfordshire Fire & Rescue. They noted that the position of the dwellings to the nearest fire appliance is in the region of 90m. The applicant would therefore have to consider measures such as the installation of a sprinkler system to meet the requirements of Fire Safety: Approved Document B Volume 1. The applicant confirmed and provided additional information, confirming that a sprinkler system would be installed to meet this requirement.
- 7.6.7 The proposed development, subject to conditions, is therefore acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.7 Trees & Landscape

- 7.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows, and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.
- 7.7.2 The application site does not contain any protected trees. The site is partially overgrown however does not contain any trees of any real or significant amenity value. The application is accompanied by a tree survey which identifies some Category B & C trees and Category U trees. It is proposed that these trees are removed to accommodate the development. While there is no objection to the removal of the trees on site due to their individual value, there would be an overall loss of landscaping. The proposals were discussed with the Landscape Officer who stated that there would be no objection to the proposed tree removal subject to conditions for replacement planting and a landscaping scheme. A condition for a detailed hard and soft landscaping scheme will be included on any permission granted.

7.7.3 In summary, subject to conditions, the proposed development is acceptable in this regard, in accordance with Policy CP12 of the Core Strategy (2011) and Policy DM6 of the Development Management Policies LDD (2013).

7.8 Amenity Space

7.8.1 Appendix 2 of the Development Management Policies LDD sets out standards for the provision of amenity space and states the following indicative levels:

- 2 bed dwelling - 63 square metres
- 3 bed dwelling - 84 square metres

7.8.2 The amenity gardens to the two-bedroom units would have sizes of 22-52sqm and the amenity gardens to the three-bedroom units would have sizes of 31-70sqm. These would all fall short of the abovementioned standards for each dwelling type and would be small relative to the local character. Notwithstanding, the proposed gardens would each provide a private useable space. Weight is also given to the excellent access to local public open space, including Barton Way play area and fields directly to the north. On balance, while the proposed amenity space provision falls short of the adopted standards, it is not considered justifiable to refuse planning permission on this ground, for the reasons given above.

7.9 Energy & Sustainability

7.9.1 Policy DM4 of the Development Management Policies document states that applications for new residential development will be required to demonstrate that the development will meet a zero-carbon standard (as defined by central government). However, the government are not pursuing zero carbon at this time and therefore the requirements of DM4 to achieve a 5% saving in CO2 over 2013 Building Regulations Part L would continue to apply.

7.9.2 The application is accompanied by an Energy Statement which confirms that at least a 5% reduction in CO2 emissions below the baseline emission rate will be achieved, based on Part L of the Building Regulations 2013 edition. A condition will be included on any permission granted, ensuring that the development is implemented in accordance with the requirements of the report.

7.10 CIL

7.10.1 Core Strategy Policy CP8 requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) came into force on 1 April 2015. The levy applies to new dwellings and development comprising 100sq. metres or more of floorspace (net gain), including residential extensions, although exemptions/relief can be sought for self-build developments and affordable housing. The Charging Schedule sets out that the application site is within 'Area A' within which there is a charge of £180 (plus indexation) per sq. metre of residential development.

7.11 Refuse & Recycling

7.11.1 Policy CP1 of the Core Strategy states that development should provide opportunities for recycling wherever possible. Policy DM10 of the Development Management Policies LDD sets out that adequate provision for the storage and recycling of waste should be incorporated into proposals and that new development will only be supported where the siting or design of waste/recycling areas would not result in any adverse impact to residential or workplace amenities, where waste/recycling areas can be easily accessed (and moved) by occupiers and waste operatives and where there would be no obstruction to pedestrian, cyclist or driver sight lines.

7.11.2 The dwellings are located within an established residential area. A communal bin store for the five dwellings will be located at the gated entrance to the car park, with direct access to

the adjacent access way. The bin store will be 18 metres from the kerbside along New Road, which complies with the recommended 25-metre maximum walking distance for operatives. Hertfordshire County Council Highways did not raise any objection to this proposal. Bins would be required to be moved from the storage area to the edge of the highway on collection day and returned by residents after collection. The proposal was discussed with the TRDC Environmental Protection team who raised no objection to this.

7.12 Biodiversity

7.12.1 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.

7.12.2 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.

7.12.3 The application is accompanied by a Preliminary Ecological Appraisal, dated September 2024. The appraisal recommended that a follow-up bat survey was carried out. This was carried out and submitted with the application, dated October 2024. The survey confirms that the site has low to negligible potential for bats and that the development may proceed with a cautionary approach. The report recommends bat enhancements which will be secured by condition. The appraisal otherwise concludes that no evidence of protected species was found on or adjacent to the site and no protected species are to be affected by proposals. The report recommends that a precautionary approach is taken to construction and that all works should cease immediate if any protected species are encountered. A condition will be included on any permission granted for the development to be implemented in accordance with the recommendations set out in the PEA and Bat emergence survey.

7.13 Mandatory Biodiversity Net Gain

7.13.1 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% biodiversity value. This is subject to exemptions as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.13.2 The application is accompanied by a Biodiversity Net Gain Assessment and Biodiversity Metric. The current landscaping proposal generates a net loss of area-based habitat units (92.24%) and a net loss of linear based habitat units (15.17%). The report confirms that it is unlikely that the net gain can be achieved on site however the unit deficits can be compensated for offsite. Officers also consider that, given that the site will be entirely private residential land, the provision of on-site BNG would not be acceptable, as it would not be possible to monitor over the 30-year period.

7.13.3 The applicant has confirmed that they will enter a contract with an off-site provider to satisfy the 10% net gain requirement.

7.14 Conclusion

7.14.1 The LPA cannot currently demonstrate a 5-year housing land supply, and therefore paragraph 11 of the NPPF is engaged. Paragraph 11 and footnote 7 clarifies that in the

context of decision-taking "the policies which are most important for determining the application are out-of-date when the LPA cannot demonstrate a five-year supply of deliverable housing sites". The most important policies for determining a housing application are Policies CP2 (Housing Supply) and Policy CP3 (Housing Mix and Density).

- 7.14.2 Paragraph 11 continues, "Plans and decisions should apply a presumption in favour of sustainable development...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- a) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 7.14.3 The proposed development, as assessed in the above sections of this report, is considered to comply with all key policies relating to new housing development. The proposed development would contribute to the district's lack of housing supply and would comply with core policy CP4 in making a full monetary contribution to the provision of housing supply in the district.
- 7.14.4 On this basis, it is considered that the proposal would constitute sustainable development in the context of paragraph 11 of the NPPF. A weighing exercise in terms of the benefits of the scheme having to outweigh any adverse impacts is therefore not required in light of the above assessment.

8 Recommendation

- 8.1 That following the completion of a S106 agreement to secure a financial contribution toward affordable housing, **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: 219NE-A-01-001, 219NE-A-01-002, 219NE-A-02-001, 219NE-A-02-002, 219NE-A-03-001, 219NE-A-03-004, 219NE-A-06-001, 219NR-A-01-001 A, 219NR-A-01-002 A, 219NR-A-02-101 A, 219NR-A-02-102 A, 219NR-A-02-103 A, 219NR-A-03-101 A, 219NR-A-03-102 A, 219NR-A-03-103 A, 219NR-A-06-101 A, 219NR-A-06-102 A, 1234-L-D-PL-200

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP4, CP6, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM4, DM6, DM8, DM10, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy CA1 of the Croxley Green Neighbourhood Plan (2018), and the NPPF (2024).
 - C3 Prior to the commencement of works above ground level, samples and details of all proposed external materials and finishes, including details of bricks, cladding, roof material, windows, balustrading, and rainwater goods, shall be submitted to and

approved in writing by the Local Planning Authority. The development shall thereafter be completed only in accordance with the details approved by this condition.

Reason: In the interests of the visual amenity of the area in accordance with 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 CA1 of the Croxley Green Neighbourhood Plan (2018), and the NPPF (2024).

- C4 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
- i. parking of vehicles of site operatives and visitors
 - ii. construction of access arrangements including the routing of vehicles
 - iii. loading and unloading of plant and materials
 - iv. storage of site facilities, plant and materials used in constructing the development
 - v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - vi. wheel washing facilities
 - vii. measures to control the emission of dust and dirt during construction
 - viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: This condition is a pre-commencement condition in the interests of highway safety and convenience, and to protect neighbouring amenity, in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

- C5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials, and method of drainage around the areas of the site affected by the development.

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

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

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

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to the first occupation of the development hereby permitted the vehicular access and parking area shall be provided as shown on drawing number 219NR-A-01-002 A, with provision made for surface water run-off to be dealt with within the site and shall thereafter be retained as such.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy CP10 of

the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

- C7 Prior to the occupation of the development hereby permitted, the parking spaces shall be laid out, marked and permanently maintained for the use of residents and their visitors only, in accordance with 219NR-A-01-002 A. The cycle storage shall also be provided in accordance with this plan.

Reason: To ensure that parking for the development is available in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

- C8 Before first occupation of the dwellings hereby permitted details indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation and carried out in accordance with the approved details.

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

- C9 The development hereby permitted shall be implemented in accordance with the details of the energy statement prior to the occupation of the development and shall be permanently maintained thereafter.

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

- C10 The development, hereby permitted, shall be implemented in accordance with the Preliminary Ecological Appraisal by Arbtech, dated 4 September 2024.

Reason: To ensure that the development has a satisfactory impact on biodiversity and ecology, in accordance with Policy CP9 of the Core Strategy (2011) and Policy DM6 of the Development Management Policies document (2013) and the NPPF (2024).

- C11 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 extensions 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).

- C12 The vehicle gate hereby permitted, at the entrance from New Road, shall be provided in accordance with 219NR-A-01-002 A, including being inward opening. The gate shall be permanently maintained as such.

Reason: In the interests of highway safety and convenience, and to protect neighbouring amenity, in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

- C13 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order

2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Class of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class B - additions etc. to the roof

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

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

Informatives

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

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

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

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

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

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

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore

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

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

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

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

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

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

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity

gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

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

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

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

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

- 15 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
- 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>
- 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.