

PLANNING COMMITTEE – Thursday 20 November 2025

25/1330/RSP – Construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth, Hertfordshire, WD3 3GD

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 14.10.2025
(Extension of Time: 25.11.2025)

Ward: Durrants
Case Officer: Scott Volker

Development Type: Householder.

Recommendation: That retrospective planning permission be granted unconditionally.

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

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T0K4PRQFHJA00>

1 Relevant Enforcement History

- 1.1 25/0109/COMP - Unauthorised Rear Extension – Pending consideration, subject to the outcome of this application.

2 Description of Application Site

- 2.1 The application site contains a property situated on the west side of Gade Bank in Croxley Green. Gade Bank is a short cul-de-sac, characterised by eight pairs of semi-detached dwellings built on a uniform building line in a single row.
- 2.2 The application site is within a semi-rural location with the Grand Union Canal situated to the east of the site on the opposite side of Gade Bank. The rear of the site (to the west) is woodland covered by a Woodland Tree Protection Order (TPO790) which stretches the entire length of Gade Bank, with school playing fields beyond this. The site lies within the Metropolitan Green Belt.
- 2.3 The application property is two-storey with accommodation within the roof space facilitated by a hip-to-gable roof extension and rear dormer. The property has also benefitted from a single storey rear extension which is the subject of this planning application. The property has a pebble-dash rendered exterior and a dark tiled roof. To the front of the property is a small garden enclosed by evergreen hedging to all boundaries. At the rear, there is a private garden measuring approximately 190sqm enclosed by close-boarded timber fencing and hedging. The land levels rise gradually to the rear boundary of the site.
- 2.4 Parking associated to the properties on Gade Bank is located on the opposite side of the access road serving this row of dwellings.
- 2.5 The property has been put to use as a House of Multiple Occupation (“HMO”) (Use Class C4); however, the property is currently vacant following a Closure Order. Further details are provided at Section 8.1 of this report below.

3 Description of Proposed Development

- 3.1 This planning application seeks retrospective planning permission for a single storey rear extension.
- 3.2 The extension has a depth of approximately 3.4m from the rear elevation of the host property and extends the full width of the property measuring 6.1m in width and is built up

to the shared boundary with 9 Gade Bank and offset from the boundary with 11 Gade Bank by 1.3m. The extension has a flat roof measuring 2.8m in height. Glazing is located within the rear elevation including two doors. The extension provides two additional bedrooms for the property. The external appearance of the extension is white painted smooth render.

- 3.3 This application does not propose the conversion of the property to a House of Multiple Occupation. Further explanation in respect of the use of the property is provided in the analysis section below at Section 8.1.

4 Consultation

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

Croxley Green Parish Council notes that a small semi-detached property with a reception room, kitchen, and bathroom on the ground floor and three bedrooms on first floor in an isolated row of identical properties has been converted into a three-storey property with six en-suite 'studio' ensuite bedrooms and a minute communal kitchen using permitted development rights.

This application arises because the developer has been unable to squeeze enough space for the conversion into the permitted rights.

The Council objects, in the strongest terms possible, to this entirely unsuitable conversion in an entirely unsuitable location and calls on Three Rivers District Council to reject the application for the additional extension length.

The property is entirely unsuitable for an HMO, being remote from all local services which are only accessible on foot by narrow unlit roads without footways or along the unlit canal towpath.

Gade Bank is accessed through a narrow single-track road, with steep gradients where any additional traffic has road safety implications.

There is no public parking within several hundred metres of the property and there are no allocated parking spaces for the property.

The alterations are completely out of character with the area and street scene (which is not shown in the application) and in contravention of Neighbourhood Plan policies CA2, CA3, and Character Area 11.

This application is deficient as it asserts the property is not within 20m of a watercourse.

If the officer is minded to approve, CGPC requests the application be called in for decision by the TRDC planning committee.

4.2 Housing Officer: No comments received.

4.3 National Grid (Gas): No response received.

5 Public/Neighbour Consultation

5.1.1 Site Notice: Posted – 21.08.2025 Expired – 23.09.2025

5.1.2 Press notice: None.

5.1.3 Number consulted: 7

5.1.4 No of responses received: 13 (13 objections received)

5.1.4.1 Summary of responses received:

- Extension facilitates a House of Multiple Occupation
- Impact on traffic and parking
- Health & Safety
- Impact on neighbours
- Existing pre-fabricated buildings are not soundproof
- Development is contrary to Three Rivers Local Plan policies and Croxley Neighbourhood Plan policies
- Additional refuse
- Increased antisocial behaviour
- Decrease in property value
- Increase number of occupants in extended property
- Damage to neighbouring properties during construction
- Overdevelopment
- No consideration of location of site near Grand Union Canal
- Deliberate increase over permitted development threshold
- Granting permission set dangerous precedent of “build now, ask later” approach
- Inappropriate development in the Green Belt
- Poor standard of construction of the extension
- Increase in anti-social behaviour
- Level of accommodation does not meet living standards
- Front and rear gardens left with waste buildings materials

5.1.5 A petition containing 26 signatures objecting to the application has also been received. The key points of the petition include:

- Road safety and parking issues
- Safety and character of the road
- Noise and unsuitable building design
- Risk of cascading effect on the street
- Retrospective development and planning integrity

6 Reason for Delay

6.1 None.

7 Relevant Planning Policy, Guidance and Legislation

7.1 National Planning Policy Framework and National Planning Practice Guidance

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

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area). Relevant chapters include Chapter 2, Chapter 6 and Chapter 7.

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

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

The Environment Act (2021).

7.2 The Three Rivers Local Development Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP1, CP1, CP6, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM6 and DM9 and Appendices 2 and 5.

Croxley Green Neighbourhood Plan (2018)

7.3 Other

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

8 **Planning Analysis**

8.1 Background

- 8.1.1 Following a report to the Council an enforcement investigation was opened regarding the construction of a single storey rear extension (ref. 25/0109/COMP).
- 8.1.2 A site inspection was conducted where it was ascertained that the dwelling (at the time) had been extended to the rear. The extension as built measures 3.37m and for this reason exceeds the limitations of Schedule 2, Part 1, Class A A.1(f)(i) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) ("the GPDO") which restricts single storey rear extensions to semi-detached dwellings to 3m under permitted development rights. An extension greater than 3m would require an application for express planning permission.
- 8.1.3 Whilst officers are satisfied that the property was in C3 use (dwelling house) at the time of the works, the works themselves facilitated a change of use. Notwithstanding this, a C4 use (HMO) benefits from the same permitted development rights that are available to C3 use (dwelling houses).
- 8.1.4 This current application has therefore been submitted in an attempt to formalise the breach of planning control by utilising Section 73A of the Town and Country Planning Act 1990 (as amended) which enables an application to be made to the Local Planning Authority for development carried out before the date of the application.

- 8.1.5 Several concerns have been received regarding the use of the property as a House of Multiple Occupation (HMO). To clarify, the change of use of a building from its use as a dwellinghouse ("C3" of the Use Class Order) to its use as an HMO that is to be occupied by up to six residents, is granted deemed planning permission by virtue of Class L of Part 3, Schedule 2 of the GPDO, otherwise known as 'permitted development'. Accordingly, the owner of 10 Gade Bank did not require express planning permission from the council to undertake a change of use from C3 (dwelling house) to C4 (small HMO). Therefore, the use of the property does not form part of the consideration in the assessment of the acceptability of this application.
- 8.1.6 Whilst planning permission is not required for the use, a mandatory HMO licence is required for landlords of a HMO, which is a property rented by five or more people who form two or more households and share amenities like a kitchen, bathroom, or toilet. Applications for a HMO licence are assessed and issued by the council's Environmental Health team. An application (referenced 25/00034/HMO) is under consideration by that team. The grant of planning permission retrospectively has no bearing on the decision making of the HMO licence application.
- 8.1.7 Comments from local residents raise concerns of anti-social behaviour at the property. Officers note that the application property is the subject of a Closure Order granted by St Albans Magistrates Court which is effective immediately from 17 October 2025 following complaints of anti-social behaviour. The Order prohibits entry to anyone other than the emergency services for a period of three months from date of issuing. Whilst a Closure Order exists, this is a Police matter which falls outside the remit of planning and is not a material planning consideration in the assessment of the acceptability of the proposed single storey rear extension.
- 8.2 Impact on Green Belt
- 8.2.1 The site is located within the Metropolitan Green Belt. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 154 of the NPPF outlines a number of exceptions to inappropriate development. One such exception to inappropriate development at paragraph 154(c) includes *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'*.
- 8.2.2 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. The policy replicates Green Belt policies contained within the NPPF and therefore can be given weight.
- 8.2.3 Policy DM2 of the Development Management Policies LDD (adopted July 2013) relates to development within the Green Belt and sets out that extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account. Policy DM2 pre-dates the current 2024 NPPF but was adopted after the publication of the 2012 NPPF. The wording of the Green Belt chapters of the NPPF has not materially changed between the 2012 and 2024 NPPF in respect of exceptions to openness, and on that basis it is considered that DM2 which was adopted after the 2012 NPPF was published, is consistent with the NPPF and is an up to date policy to which considerable weight may be attached.
- 8.2.4 More specific guidance to the implementation of DM2 is provided in Supplementary Planning Guidance No.3, Extensions to Dwellings in the Green Belt. The SPG provided further explanation of the interpretation of the Green Belt policies of the Three Rivers Local

Plan 1996-2011. These policies have now been superseded by Policy DM2. Nevertheless, the SPG provides useful guidance and paragraph 4.5 of the Development Management Policies LDD (adopted July 2013) advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document. As the NPPF or the Local Plan Policies do not give any clear guidance on the interpretation of the scale of extensions that would be disproportionate, the SPG, whilst of limited weight by virtue of its age, does give useful guidance and states that extensions resulting in a cumulative increase in floor space of over 40% compared with the original dwelling may be disproportionate.

8.2.5 Green Belt Calculations

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

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

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

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

8.3.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

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

8.3.3 Gade Bank is located in Character Area 11 (Cassiobridge, River Gade, Canal and Common Moor) identified in the Croxley Green Neighbourhood Plan (2018) ("CGNP"). Policy CA2 of the CGNP domestic extensions requiring planning consent should seek to conserve and enhance the Character Areas through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted.

8.3.4 It is not considered that the proposed extension results in harm to the host property or the character of the wider area. The extension is single storey and at 3.37m in depth complies with the guidance contained within Appendix 2. The extension is set back from the highway and is flush with the flank elevation of the existing property; thus is not readily visible and does not appear as a prominent feature within the street scene. The proposed extension

has also been constructed using materials that blend in with the existing character and appearance of the host property. Consequently, the proposal is deemed acceptable in regard to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA1 of the Croxley Green Neighbourhood Plan (2018).

8.4 Impact on Neighbours

- 8.4.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.
- 8.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 8.4.3 The proposed single storey rear extension has been built up to the common boundary with 9 Gade Bank and is set in from the respective boundary shared with 11 Gade Bank by approximately 1.3m. Given the single storey design of the extension with its modest height and depth which complies with the guidance of Appendix 2, it is not considered to appear unduly prominent or result in any significant harm in terms of overshadowing, appear overbearing or cause loss of light and is considered acceptable. The proposed fenestration inserted into the rear of the proposed rear extension would not result in any overlooking to any neighbouring dwellings as the glazing would have outlook into the rear amenity space of the application site.
- 8.4.4 Overall, it is considered that the proposed extension does not result in any demonstrable harm to the residential amenities of any of the surrounding neighbouring properties and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.5 Highways & Parking

- 8.5.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.
- 8.5.2 Prior the rear extension being constructed, the property (a single dwelling) contained three bedrooms which required 2.25 parking spaces. A six-bedroom single dwelling would require three off-street parking spaces. Whilst it is not a matter of consideration under this application, for context purposes, the parking standards for a HMO is 0.5 spaces per tenancy i.e. $6 \times 0.5 = 3$ spaces.
- 8.5.3 The ownership of 10 Gade Bank extends beyond the red line as shown on the submitted Location Plans and does include the area on the opposite side of the access road as indicated on the Land Registry Title Plan HD543077 obtained by the case officer. This is the case for all the properties on Gade Bank. This area is well established for parking; and provides space for two vehicles associated for the application property.
- 8.5.4 There would be a shortfall of one parking space against the Parking Standards in respect of a single dwellinghouse with 6 bedrooms and a six person HMO; however, it is noted that the frontage of the property could be used to create additional parking provision in future. Thus, it is not considered that the shortfall of parking is considered sufficient to justify refusal of planning permission in this regard.

8.6 Amenity Space

8.6.1 Policy CP12 of the Core Strategy (adopted October 2011) states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The Design Guidelines at Appendix 2 of the Development Management Policies LDD provides indicative levels of amenity space which should be provided/retained following development based on the number of bedrooms within the dwelling.

8.6.2 The indicative level of amenity space required for a property of this size is 147sq. metres. The application site benefits from a private amenity space measuring 190sqm, exceeding the guidance and is acceptable.

8.7 Biodiversity

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

8.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application.

8.7.3 In summary, the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013).

8.8 Mandatory Biodiversity Net Gain

8.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value.

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

8.9 Trees

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

8.10 Summary

8.10.1 To conclude, the above assessment has considered the merits of the single storey rear extension. The change of use of the property to a HMO for up to six persons is granted deemed planning permission by virtue of Class L of Part 3, Schedule 2 of the GPDO and therefore did not form part of the consideration in the assessment of the acceptability of the single storey rear extension. The extension is an appropriate form of development within the Green Belt and does not impact on the character and appearance of the host property or wider area. The extension does not impact on neighbouring amenities. Whilst it is

recognised that a shortfall of a parking exists for the reasons set out in section 8.5 the shortfall is not considered sufficient to justify refusal of planning permission.

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

9 Recommendation

- 9.1 That **RETROSPECTIVE PLANNING PERMISSION BE GRANTED** unconditionally.

- 9.2 Informatives:

11 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.

12 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

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

There are statutory exemptions and transitional arrangement which mean that the biodiversity gain conditions does not always apply..

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

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

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

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

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

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is

minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

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