

## PLANNING COMMITTEE – Monday 16<sup>th</sup> February 2026

### **25/1987/FUL - Construction of part-single, part-two storey side and rear extensions and single storey side extension at 18 GREENWAYS, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0EU**

Parish: Abbots Langley Parish Council  
Expiry of Statutory Period: 27.02.2026 (Agreed Extension)

Ward: Abbots Langley and Bedmond  
Case Officer: Lilly Varnham

Development Type: Householder

Recommendation: That PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee: The agent for this application is a Three Rivers District Council Ward Councillor.

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

[25/1987/FUL | Construction of part-single, part-two storey side and rear extension and single storey side extension | 18 Greenways Abbots Langley Hertfordshire WD5 0EU](#)

## **1 Relevant Planning and Enforcement History**

1.1 8/600/83 - Room Over Garage.

## **2 Description of Application Site**

2.1 The application site contains a two-storey semi-detached dwelling located on Greenways, Abbots Langley. The dwelling has a dark tiled pitched roof with a two-storey front gable projection. There is a catslide roof to the side of the dwelling which is built up to the shared boundary with the adjoining neighbour at No. 20 Greenways. The dwelling has been previously extended with a dormer window that sits within the existing catslide. To the rear of the dwelling is also a single storey flat roofed rear projection, it is unclear whether this projection is original or an extension.

2.2 To the front of the dwelling is an existing gravelled driveway, with off street parking provision for up to three vehicles. To the rear of the dwelling is an amenity garden predominantly laid as lawn. To the rear boundary of the site there is a group of protected trees G3, which consists of 2 Ash, 2 Hawthorn and 1 Maple Tree. The group is protected by TPO129 and sits on the boundary with No. 20.

2.3 The wider context of Greenways consists of a mix of detached and semi-detached dwellings of varying architectural styles and designs, many of which appear to have been extended or altered.

## **3 Description of Proposed Development**

3.1 This application seeks planning permission for the construction of part single, part two storey side and rear extensions and single storey side extension.

3.2 The proposed single storey side extension would be set back from the main front building line of the host dwelling and extend in line with the existing rear building line. It would project beyond the side wall by approximately 3m and have a depth of approximately 10.9m. The roof form would be part flat and part hipped. The ridge of the hipped roof would sit at a total height of approximately 4m with the flat roof section to the rear having a total height of approximately 3m. The extension would be finished in render to match the existing, the

hipped roof would be tiled and the flat roof section would have a UPVC fascia and soffit board. Fenestration is proposed within the front side and rear of the side extension.

- 3.3 The proposed rear extension would extend in line with the flank walls of the existing rear projection for a total depth of approximately 3m and a width of approximately 8m. The rear projection would have a flat roof with a ridge height of 3m. As above, the extension would be finished in render with a UPVC fascia and soffit board around the flat roof. Fenestrations are proposed within the side and rear elevation of the rear extension.
- 3.4 A single storey infill is also proposed to the side of the existing rear projection which would be minimally set in from the shared boundary with No. 20. This extension would have a depth of approximately 2.8m and would infill the space adjacent to the existing rear projection. This addition would have a flat roof with a ridge height of 3m. As above, the extension would be finished in render with a UPVC fascia and soffit board around the flat roof. A new door is proposed within the rear elevation of this addition.
- 3.5 To the rear/side of the dwelling at the first-floor level the existing cat slide roof would be built out, extending from the existing dormer window. This would be built up to the shared boundary with No. 20 and would have a total depth of approximately 2.6m. The dormer would sit on top of the flat roof of the proposed single storey side infill extension but would remain set at the same total height as the existing dormer. A new window is proposed within the rear of the extended dormer; from the front façade the dormer and cat slide roof remain unchanged. It is noted that this proposed extension to some degree mirrors that of the adjoining neighbour at No. 20. The extended dormer will be finished in tile hanging to match the existing.
- 3.6 At the time of the officer site visit works appeared to have commenced on site in relation to drainage matters. The applicant advised that no further works would be taken place in relation to the proposed development until permission were to be granted except for those works that relate to the drainage matters. On the basis of the works carried out to date, it is not considered that the application needs to be made part retrospective, particularly given that works in relation to the current proposal have ceased until such time that consent is obtained.

## **4 Consultation**

### **4.1 Statutory Consultation**

- 4.1.1 National Grid – [No response received]
- 4.1.2 Abbots Langley Parish Council – No comment.

### **4.2 Public/Neighbour Consultation**

- 4.2.1 Number consulted: 5            No of responses received: 0
- 4.2.2 Site Notice / Press Notice: [Not required]
- 4.2.3 Summary of Responses: [No response received]

## **5 Reason for Delay**

- 5.1 Committee cycle, Extension of Time agreed.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 Legislation**

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

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

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

The Environment Act 2021.

## **6.2 Planning Policy and Guidance**

### National Planning Policy Framework and National Planning Practice Guidance

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

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

### The Three Rivers Local Development Plan

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

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

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

### Other

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

## **7 Planning Analysis**

### 7.1 Design and Impact on the Street Scene

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should ‘have regard to the local context and conserve or enhance the character, amenities and quality of an area’ and ‘conserve and enhance natural and heritage assets’.

- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
- 7.1.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking. The design criteria at Appendix 2 sets out that generally, the maximum depth should be 3.6m in the case of semi-detached dwellings. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent. Single storey side extension proximity to the flank boundary will be individually assessed.
- 7.1.4 The Design Criteria sets out that side extensions should maintain an appropriate spacing between properties in character with the locality and in order to prevent the creation of a terracing effect. With regards to first floor extensions (i.e. over a garage or previous ground floor extension), Appendix 2 advises that these should generally be a minimum of 1.2 metres from the flank boundary to provide appropriate spacing and prevent a terracing effect.
- 7.1.5 The proposed single storey side extension would be visible from the site frontage; however, it is considered that views are likely to be somewhat passing and limited owing to existing front boundary treatments at the application site. The extension would remain set back from the main front building line of the host dwelling and would not extend beyond the existing rear building line. It would also remain set off the boundary with the neighbour at No. 16 Greenways. The roof form comprises a part hipped, part flat roof; the flat roof section would not be readily visible from the streetscene given its siting towards the rear of the dwelling and the extension remains single storey in nature. Thus, it is considered that the proposed extension would remain subservient to the host dwelling and would not unduly increase its prominence within the streetscene. The extension would be finished in render and roof tiles to match the existing dwelling which would further retain its character within the street.
- 7.1.6 With regard to the single storey rear extension, this would remain within the confines of the existing width of the host dwelling, extending from the flank walls of the existing rear projection which planning records indicate forms part of the dwelling's original layout. The proposed extension therefore has a total depth of approximately 3m, in accordance with the design criteria set out in Appendix 2. The extension remains considerably set in from both flank boundaries, and its scale and overall form ensure that it reads as a subordinate addition to the host dwelling. Given the existing site circumstances and the pattern of neighbouring development, this addition is not considered to result in demonstrable harm to the character or appearance of the host dwelling or wider streetscene. As above, the materials are proposed to match the existing which would further retain its character.
- 7.1.7 The single storey rear/side infill extension would occupy the area currently adjacent to the existing rear projection and the boundary with the adjoining neighbour. The extension remains single storey in height and incorporates a flat roof consistent with that of the proposed rear extension assessed above. Owing to its overall limited scale, infill nature and discreet siting, the extension is considered to appear as a subordinate addition to the host dwelling. As such, it is not considered to result in demonstrable harm to the character or appearance of the host dwelling or streetscene.
- 7.1.8 The proposed first floor side/rear extension would result in the enlargement of the existing dormer within the catslide roof that adjoins the host dwelling to its neighbour at No. 20. When viewed from the front façade, the cat slide roof and dormer arrangement would remain unchanged, with no alteration to the roof angle, the dormers position on the front roofslope or its total height. The extension would therefore only be visible to the rear, where

it would project from the existing dormer. This rearward enlargement would reflect the form and design of the adjoining neighbour's dormer, resulting in a comparable scale and appearance. The proposal would remove the rear catslide roof, with the dormer instead positioned above the proposed single storey infill extension. While this increases the massing to the rear particularly at first floor level and would be built up to the boundary, contrary to the guidance within Appendix 2, it is acknowledged that the existing development is built up to the boundary at both the application site and at the adjoining neighbour. As such whilst this would not strictly accord with the spacing requirements, when viewed in the context of the existing built form and the neighbouring properties existing dormer, it is not considered that the proposal would result in an unduly prominent form of development nor would it result in demonstrable harm to the character or appearance of the host dwelling or streetscene such to justify a refusal in this regard. The use of matching materials would further ensure the character and appearance of the dwelling are retained.

7.1.9 In summary, the proposed development would not result in any adverse harm to the character or appearance of the host dwelling, streetscene or area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013).

## 7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.2.3 The neighbour to the east of the application site is No. 16 Greenways, this neighbour has implemented consent for the demolition of the existing dwelling and its replacement with a two-storey detached dwelling via LPA ref 14/0221/FUL which is now what is in situ at the neighbouring site. The proposed side extension would remain set off the shared boundary with No. 16 by approximately 0.6m. The side extension would not project beyond this neighbour's current rear building line and the rear section incorporates a flat roof which sits at a lower height relative to the hipped section. Owing to its single storey nature, limited height and the spacing maintained to the boundary it is not considered that this addition would result in an overbearing form of development or harmful loss of light to the occupiers of this neighbouring dwelling.

7.2.4 With regards to the single storey rear extension, this would remain set in from the shared boundary with No. 16 by approximately 2m. The depth is considered to comply with the design criteria above, and whilst this would result in a projection beyond the neighbour's rear building line, owing to its modest height, flat roof form and separation to the boundary is not considered to give rise to an overbearing impact or harmful loss of light to the occupiers of this neighbouring dwelling.

7.2.5 With respect to the adjoining neighbour, the proposed single storey side/rear infill extension would sit only marginally off the shared boundary. However, it would not project beyond the host dwellings existing rear building line, nor would it extend beyond the neighbour's current rear building line. Given its flat roofed form, and limited scale and height, this element is not considered to result in any material harm to the neighbouring amenity of the adjoining occupiers.

7.2.6 The proposed single storey rear extension would remain set off the shared boundary with the adjoining neighbour at No. 20 by approximately 1.5m and would project approximately 1m beyond this neighbour's current single storey rear projection. Owing to the degree of

separation retained and the single storey flat roof nature of this element it is not considered to give rise to an overbearing form of development or unacceptable loss of light.

- 7.2.7 The proposed enlargement to the existing dormer would not increase its overall height or alter its roof form from the front façade. To the rear the enlargement would replace the existing catslide roof and sit above the flat roof of the proposed infill extension and set in a manner consistent with the neighbouring dormer. Given its scale, siting and alignment with the adjoining neighbouring property, the enlarged dormer is not considered to result in a significant increase in massing or overshadowing, nor is it considered to give rise to an unacceptable sense of enclosure. As such, when read in the existing site context and neighbouring development, the dormer is not considered to result in demonstrable harm to the residential amenities of the occupiers of this neighbouring dwelling.
- 7.2.8 The fenestration within the front and rear elevations of the single storey extensions would predominantly have outlook of the application site frontage and rear amenity space and as such are not considered to facilitate additional overlooking of any neighbour. It is acknowledged that the single storey rear extension has flank windows which face the boundaries with both No. 16 and No. 20. However, owing to their siting at the ground floor level and the separation retained to the boundaries it is not considered that these windows would result in unacceptable overlooking of these neighbours such to justify a refusal in this regard. Whilst the enlarged dormer would include a new first floor rear window this would predominantly overlook the application sites rear amenity space, with only oblique views towards the neighbour which would not be dissimilar to those achievable from existing first floor rear windows. Accordingly, the proposals are not considered to result in unacceptable harm to neighbouring amenity.
- 7.2.9 In summary, the proposed development would not result in any adverse impact on any neighbouring dwelling, and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

### 7.3 Wildlife and Biodiversity

- 7.3.1 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.
- 7.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
- 7.3.3 The application is accompanied by a biodiversity checklist which states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.

### 7.4 Mandatory Biodiversity Net Gain

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

exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

7.4.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

#### 7.5 Trees and Landscaping

7.5.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.5.2 The application site is not located within a Conservation Area, there is however a group of protected trees to the rear of the site, G3, protected by TPO129. Given the distance maintained from the proposed works and these protected trees it is not considered that these would be affected by the proposed development. The proposal is therefore considered acceptable in this regard.

#### 7.6 Rear amenity

7.6.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.

7.6.2 The application dwelling has four bedrooms as existing requiring 105sqm of rear amenity space. The proposal would not increase the number of bedrooms within the dwelling and therefore this requirement would remain unchanged. The application site would retain approximately 178sqm of rear amenity space exceeding the criteria at Appendix 2 of the DMP LDD. The proposal is therefore considered acceptable in this regard.

#### 7.7 Highways, Access and Parking

7.7.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

7.7.2 The existing dwelling has four bedrooms and therefore requires 3 assigned spaces within the dwelling's curtilage. The proposal would not increase the number of bedrooms within the dwelling, and the existing requirement would remain unchanged. The application site has an existing gravelled driveway with off street parking provision for three vehicles and therefore meets the requirement at Appendix 5. The proposal is therefore considered acceptable in this regard.

## 8 **Recommendation**

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

C1 The development hereby permitted shall be begun before the expiration of three years from

the date of this permission.

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

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 2510-SK-100 REV B, 2510-SK-101 REV B

Reason: For the avoidance of doubt, and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013).

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

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

## 8.2 Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £145 per request (or £43 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://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](mailto:cil@threerivers.gov.uk)). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

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

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

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

12 The applicant is reminded that the Control of Pollution Act 1974 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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

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

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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

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

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

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

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

- 15t Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).