

PLANNING COMMITTEE – Thursday 26 February 2026

25/2182/FUL - Construction of single storey rear extension, garage conversion and loft conversion with side rooflights and windows to side elevation, relocation of entrance door at 99 BYEWATERS, CROXLEY GREEN, WATFORD, HERTFORDSHIRE, WD18 8WH

Parish: Croxley Green Parish Council

Ward: Dickinsons

Expiry of Statutory Period: 05.03.2026 (Agreed Extension)

Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE GRANTED subject to the conditions set out below.

Reason for consideration by the Committee: Called in by Croxley Green Parish Council for the reasons set out at para 5.3.

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

[25/2182/FUL | Construction of single storey rear extension, garage conversion and loft conversion with side rooflights and windows to side elevation, relocation of entrance door | 99 Byewaters Croxley Green Watford Hertfordshire WD18 8WH](#)

1 Relevant planning history

- 1.1 96/0589 - Replace existing buildings with a residential development consisting of 302 dwellings access roads car parking and landscaping works.
- 1.2 97/0470 - Replace existing building with a residential development consisting of 283 dwellings access roads car parking and landscaping.
- 1.3 09/1670/CLPD - Certificate of Lawfulness Proposed Development: Enlargement of 2 windows to front of property – Permitted.
- 1.4 25/2183/PDE – Prior Approval: Single storey rear extension (depth 6.00 metres, maximum height 3.61 metres, maximum eaves height 2.76 metres) – Pending Consideration
- 1.5 25/2184/CLPD - Certificate of Lawfulness Proposed Development: Roof alterations including hip to gable roof extension with front/rear rooflights; construction of an outbuilding – Pending Consideration

2 Site description

- 2.1 The application site contains a three-storey end of terraced dwelling on Byewaters, Croxley Green. The application dwelling has a hipped roof with a front to back gable and has an exterior finish consisting of a stone/red brick mix. The dwelling does not appear to benefit from any existing extensions.
- 2.2 To the front of the dwelling is an existing driveway with off street parking provision for two vehicles with an existing integral garage within the front elevation of the dwelling. To the rear is an amenity garden predominantly laid as lawn with an area of patio adjacent to the rear elevation of the dwelling.
- 2.3 The wider context of Byewaters consists of a number of detached, semi-detached and terraced dwellings of similar architectural styles and design, many of which appear to have been extended or altered.

3 Description of proposed development

- 3.1 The application seeks full planning permission for the construction of single storey rear extension, garage conversion and loft conversion with side rooflights, and windows to side elevation, relocation of entrance door.

- 3.2 The proposed single storey rear extension extends across the width of the plot with a depth of approximately 3.1m. It would have a gabled roof with a parapet on both sides, sitting at a total height of approximately 3.6m, with the parapet sitting at 3m. A set of bifold doors are proposed within the rear elevation of the extension as well as glazing within the apex of the gable.
- 3.3 The proposal also includes relocation of the dwelling's main entrance door. The main entrance door would be brought forward, sitting flush with the front façade and infilling the existing recess.
- 3.4 The existing garage is proposed to be converted into habitable accommodation. The existing garage door would be removed and replaced by a two-casement window in the front elevation. The remaining space around the window would be infilled.
- 3.5 The proposal includes a loft conversion which would comprise internal alterations creating vaulted ceilings at the second-floor level within the existing front and rear gables. This would be served by two rooflights within the flank roofslope of the existing front gable.
- 3.6 Windows are proposed within the side elevation of the dwelling at both ground and first floor level serving the utility/shower room at the ground floor and shower rooms at the first floor. The existing windows within side elevation at the second floor are proposed to be replaced by new windows which would serve the existing bathroom and en-suite. The new windows at the first-floor level and the existing (but replaced) windows at the second-floor level are proposed to be fitted with obscured glazing and would be non-openable 1.7m above the finished floor level of the rooms they serve.
- 3.7 Amended plans were requested and received during the course of the application. The hip to gable extension and associated flank glazing has been omitted from the proposal. The rear rooflight and solar panels to the front and rear roofslope have also been omitted and the first and second floor windows in the side elevation of the dwelling are proposed to be fitted with obscure glazing and non-openable 1.7m above the finished floor level of the rooms they serve.

4 Consultee responses

4.1 National Grid – [No response received]

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

' The hip to gable loft extension is contrary the Croxley Green Neighbourhood Plan guidelines. It will also affect the symmetry of the terrace of houses. The proposed new gable will be visible from several adjacent roads & houses as well as the waterside path and affect the existing street scene.

' CGPC also objects to the proposed new large second floor side windows which will overlook the neighbour's rear gardens.

' There are no 45-degree sight lines shown.

CGPC supports neighbours' objections.

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

5 Neighbour consultation

Site / Press notice: [Not Required]

No. consulted: 3 No. of responses: 6 [6 Objections Received]

Summary of responses:

- Privacy/overlooking – side facing habitable windows would directly overlook home/garden at 103 Byewaters causing material loss of privacy.

- Overbearing/out of character – hip to gable roof alteration creates a large gable end and increased bulk next to 103, harming outlook and cohesive roofline/character of the Byewaters terrace. TRDC guidance discourages hip to gable where it unbalances a uniform group. Combined massing of roof alteration plus rear extension is disproportionate and visually intrusive.
- Daylight/sunlight – rear extension and increased roof mass risk loss of daylight/sunlight and a reduced sense of openness for 103, contrary to residential amenity design criteria (including 45-degree principles).
- Parking stress: converting the garage removes an off-street space while adding habitable accommodation/bedroom, likely increasing on street parking pressure on an already constrained private estate road. The scheme does not demonstrate compliance with TRDC parking standards or mitigation.
- Scale and design completely out of character with the uniform appearance of the Byewaters terrace. Increased height, bulk and roof alterations create an overbearing and visually intrusive structure that disrupts the rhythm and balance of the streetscene.
- Raises serious privacy concerns. Increased overlooking, including properties several doors away. Adding massing will reduce natural light and create a greater sense of enclosure in an already tightly spaced terrace, materially affecting the amenity of surrounding homes.
- Construction noise, dust and disruption will be significant due to scale of the works and close proximity of the houses.
- Drainage concerns. Increasing built footprint and altering roof structures risks adding pressure to the estates drainage systems which are already sensitive due to the nearby waterways. No evidence has been provided to demonstrate that surface water runoff or drainage issues will not be exacerbated by this development.
- Roof alterations, increased lighting and construction disturbance may negatively affect these species. No ecological assessment has been submitted.
- Proposed new room looks directly and inescapably down from a great height, in a way carefully obviated by the original design. Presenting a threatening posture, removing privacy from us and several others.
- Conduct of works will intrude on the whole end of the estate.
- Impact on Building Integrity. Ruins the architectural character and cohesive roofline of the entire row.
- Overlooking from fourth floor intrusive and takes away the privacy that the original estate design was supposed to protect.
- Impact on wildlife. Massive glass area at that height is hazard for wildlife and light pollution. No ecological assessment has been provided to address this.
- Access and Construction Disruption.
- Objection to glass sided build.
- Highly likely that Byewaters management would refuse the application as they have refused previously applied for permissions within the same set of town houses whom simply wished to make one of their windows larger and a balcony.
- Invasive, needless and dominating overdevelopment of the plot.
- Overlooking/Loss of privacy
- Visual Amenity / Impact

- Adequacy of Parking
- Noise and Disturbance
- Existing Covenants
- Impact on adjacent land use (Croxley Common Moor & Grand Union Canal)
- Impact on design on character of an area.
- Contravenes human rights act.
- No other town house, nor terraced property, on Byewaters has such a roof conversion.
- No end of wall of any town house on Byewaters has clear windows or rooflights on any of the upper levels that would overlook any other property.
- To allow this would set a poor precedent.
- Concerns regarding consultation list/no site notice in the street given the number of properties affected.
- Shortfall in amenity space provision.
- Objection to garage conversion and concerns regarding future parking pressures.

5.1 Further Consultations:

5.1.1 Amended plans were requested and received during the course of the application omitting the hip to gable extension from the proposal. The proposed windows within the first-floor flank elevation and replacement windows within the second-floor flank elevation have amended to be fitted with obscured glazing and non-openable 1.7m above the finished floor level of the rooms they serve. A reconsultation was issued on the amendments.

5.2 National Grid – [No response received]

5.3 Croxley Green Parish Council - The parish council objects and requests call-in for decision by committee if the officer is minded to approve. The proposal is contrary to the design principles of the Byewaters Estate and the Neighbourhood Plan. The proposed loft extension is overlooking, overbearing and has an adverse effect on the street scene. The loft won't be high enough to stand upright. The flank windows will cause an apparent loss of privacy, even if obscured. The loss of garage and additional bedroom will increase demand for parking. The design layout suggests the property is being adapted for multi occupancy. The parish council supports neighbours' concerns. We suggest TRDC should check thoroughly for restrictive estate conditions and existing covenants before considering this application further. If the planning officer is minded to approve, we request a condition limiting use to a single occupancy dwelling house.

5.3.1 Officer Comment – Comments from the parish are noted. The hip to gable extension has been omitted from the proposal as amended. The loft conversion relates solely to the vaulting of the ceilings within the existing front and rear gable projections, served by the rooflights in the flank roofslopes of the front gable. The second-floor flank windows are existing and are clear glazed, these are being replaced by obscurely glazed windows which would be non-openable 1.7m above the finished floor level of the room they serve. The new first floor flank windows would also be obscurely glazed and non-openable 1.7m above the finished floor level. The first and second floor windows within the side elevation all serve bathrooms/en-suites and not habitable rooms. Comments regarding the parking will be addressed in the relevant section of this report below. Any restrictive estate conditions or covenants would fall outside the remit of the assessment of this planning application. The grant of consent does not automatically convey consent for any other sets of legislation that may need to be complied with which would be the responsibility of the applicant. The plans do not suggest a multi-occupancy home and the number of bedrooms is not increasing and therefore a condition would not be appropriate.

6 Further Neighbour Consultation:

6.1 No of responses: [4 objections received]

6.2 Summary of responses:

- Side facing windows unacceptable in principle. Permanent visual presence and perception of overlooking.
- Parking pressure remains unresolved. Plans don't demonstrate compliance with TRDC parking standards.
- Despite amendments, proposal continues to cause material planning harm.
- The following text is common to my comments on applications 25/2182, 25/2183 and 25/2184. It is unclear whether any supersedes any other, and I respond as if all stand together.
- Although the third floor picture window which caused me real concern has been removed from this application, a very considerable rebuilding of the property, with the garden reduced to a small courtyard, certainly smaller than 50% of the original, by an outbuilding (25/2184) and large extension (25/2183).
- The relationship between these three apparently conflicting or mutually supporting applications must be clarified, and I request no further decision until that has been done. The famous 'three card trick' comes to mind. If all three were to be realised the effect on this part of the estate would be considerable.
- I make no comment on the impact of the building works on the area, save to point out that they will be extensive and very disruptive.
- This revised full application provides side windows overlooking the garden of my neighbour no 103. The intrusion on my property seems reduced, but I support the much greater concerns of my neighbour.
- Side-facing windows unacceptable in principle
- The amended drawings clearly retain side elevation windows facing directly toward other properties, now labelled as "obscure glazed, non-opening below 1.7m FFL". While this attempts mitigation, the principle of flank habitable windows remains unacceptable. Such windows introduce a permanent visual presence, perception of overlooking, and future pressure to alter glazing. TRDC design guidance generally resists flank windows serving habitable accommodation due to their impact on neighbouring amenity. Obscure glazing does not remove the sense of enclosure or dominance created by new openings at first and second floor levels.
- Parking pressure remains unresolved
- Extension too high.
- Overlooking concerns.
- Noise issue.
- Extra weight may not be able to be supported by the foundations.

6.3 Officer Comment – Comments from the neighbours are noted. All material planning considerations will be addressed in the relevant sections of this report below. It should be noted that comments regarding drainage and restrictive covenants are not a material consideration and would fall outside the remit of the assessment of this planning application.

7 Relevant Local and National Planning Policies

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.

Policy/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 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018). Relevant policies include: CA2, Appendix B and C.

Other

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

8 Analysis

8.1 Design and impact on the character of the Host Dwelling and Streetscene

8.1.1 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'.

8.1.2 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.

- 8.1.3 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. Applications for single storey front extensions will be assessed on their individual merits but should not result in loss of light to windows of a neighbouring property nor be excessively prominent in the streetscene. In relation to single storey rear extensions generally, the maximum depth should be 3.6m in the case of terraced dwellings. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent.
- 8.1.4 In relation to privacy, Appendix 2 of the DMP LDD sets out that windows of habitable rooms at first floor level should not generally be located in flank elevations. Flank windows of other rooms should be non-opening, below 1.7m (from internal floor level) and obscure glazed. High level windows with a sill height of 1.7m or more may be acceptable where a secondary light source is necessary.
- 8.1.5 Policy CA2 of the Croxley Green Neighbourhood Plan sets out that domestic extensions requiring planning consent should seek to conserve and enhance the character areas described in Appendix B through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted. Proposal should take account of the guidelines in Appendix C. The application site is located within Character Area 8. The neighbourhood plan sets out the special features of this character area, being well maintained buildings and well-designed mature landscaped grounds, little change since original construction and little scope for major change, brick elevations and tile roofs with rather dated fussy aesthetic at Byewaters, major redevelopment of either site is impossible without radical effect on the amenity of remaining buildings. It goes on to state that *'Byewaters and the Croxley Green Business Park each have a strong visual cohesion, although very different from each other. Adherence to the special features described above together with adherence with Development Management Policy CA1 and CA2 will assist in maintain their unique character over time.'*
- 8.1.6 Appendix C of the Croxley Green Neighbourhood Plan sets out the guidelines for extensions, setting out that the proposal should address its visual impact in the streetscape, roof extensions should not involve the raising of the roof ridge, a change from hip to gable or the construction of front dormers which are out of scale with the host building.
- 8.1.7 The proposed single storey rear extension would not be readily visible from the streetscene owing to its siting to the rear of the dwelling. Given the layout of the estate, it is acknowledged that limited/oblique views of the extension may be possible from some distance to the south adjacent to the River Gade looking north. However, given the siting of neighbouring dwellings it is considered that these views would be both limited and passing. The depth of the extension measures approximately 3.1m and would be of a similar depth to the existing rear projections at the adjoining neighbour at No. 97, thereby complying with the design criteria at Appendix 2 of the DMP LDD. The roof form would be gabled, which would increase its apparent bulk and mass, it is however acknowledged that this would slope to a parapet on both boundaries, reducing its visual impact. It is also noted that there are other examples of similar types of development within the context of the application site including within the existing row of terraced dwellings. When read in the site context, it is not considered that the proposed extension would be disproportionate to the host dwelling and would therefore remain subservient. It is therefore not considered that this addition would result in an incongruous or unduly prominent form of development and therefore would not result in harm to the character or appearance of the host dwelling such to justify a refusal in this regard.
- 8.1.8 The proposed windows within the ground floor side elevation would be largely screened from view of the streetscene, given their positioning at the ground floor, the relationship to neighbouring properties and existing boundary treatments. The windows within the first-floor side elevation would however be readily visible from the streetscene. The same applies for the second-floor windows within the side elevation although it is noted that these are existing windows which are proposed to be replaced. Whilst the windows may be visible from the streetscene, they are considered to be limited in number with much of the flank elevation remaining legible. The windows are also considered to reflect the style and appearance of the existing windows and from a character

perspective are not considered to increase the prominence of the dwelling within the streetscene to an unacceptable degree.

- 8.1.9 The relocation of the main entrance door would be readily visible from Byewaters given its siting to the front of the dwelling. Its scale is however considered to be limited with the existing recess infilled such that the new entrance door would be flush with the main front wall. Whilst this would alter the external appearance of the dwelling from the streetscene and result in a visual difference between the application dwelling and the remaining dwellings within the existing terraced row it is not considered that this element of the proposal would appear incongruous or increase the visual prominence of the host dwelling to an unacceptable degree such to justify the refusal of planning permission in this regard.
- 8.1.10 With regard to the garage conversion, this would result in the garage door being removed and replaced by a two-casement window. Whilst this would be visible from the streetscene on Byewaters, it is acknowledged that a number of other properties within the adjoining row of terraces have implemented garage conversions notably No. 91, 93, 95 and 97. As such, it is not considered that the conversion of the garage in this case would appear unduly out of character.
- 8.1.11 The proposed flank rooflights would remain proportionate to the roofslope, with the existing gable remaining legible. Whilst rooflights are not a prevalent feature within the streetscene there are examples of both front and rear rooflights, as such it is not considered that these would result in demonstrable harm to the character or appearance of the host dwelling such to justify a refusal in this regard.
- 8.1.12 The proposed loft conversion would not be visible from the exterior of the dwelling given that it relates to the internal works to create vaulted ceilings within the existing front and rear gable projections. As such, it is not considered that this would have any harm to the character or appearance of the host dwelling or wider streetscene.
- 8.1.13 In summary, the proposed development would not result in any adverse harm to the character or appearance of the host dwelling or wider streetscene. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013) and Policy CA2, Appendix B and C of the Croyley Green Neighbourhood Plan Referendum Version (adopted December 2018).

8.2 Impact on Neighbours

- 8.2.1 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'.
- 8.2.2 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.
- 8.2.3 The proposed single storey rear extension would be set up to the shared boundary with No. 97. This neighbour is also a three-storey mid terraced townhouse which benefits from an existing single storey rear projection, this neighbour's existing rear projection is built up to the shared boundary with the application site. The extension in this case would have a total depth of approximately 3.1m which would comply with the design criteria at Appendix 2 of the DMP LDD. The extension would not project beyond this neighbour's rear building line, it is however acknowledged that it would have a greater height than the neighbours existing rear projection. Whilst it would be set at a slightly greater height with the gabled roof, it would slope down to a parapet on the shared boundary at a height of 3m which sits below the height of these neighbours pitched roof. In light of the above, it is not considered that the proposal would result in an overbearing form of development of harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling.
- 8.2.4 In relation to No. 103, the application site is set off the shared boundary with this neighbour by virtue of an existing footpath which provides side access to the application dwelling as well as rear access to No. 97. The neighbouring property (103) is a two storey detached dwelling which appears to benefit from a part single, part two storey rear extension, this neighbour's rear elevation faces the front of the application site, with its front elevation facing south adjacent to the application site's rear

amenity garden. In the case of the proposed rear extension, whilst set up to the flank boundary of the application site, would remain set off the boundary with this neighbour. Given its modest scale and limited depth it would not project beyond this neighbour's front building line. Owing to the separation maintained to the boundary, its single storey nature, scale and design it is not considered that this would give rise to an overbearing form of development or harmful loss of light as experienced by the occupiers of this neighbouring dwelling.

- 8.2.5 The glazing within the rear elevation of the proposed rear extension would predominantly have outlook over the application site's rear amenity space. Despite the glazing in the apex of the gable, the glazing remains at single storey level and is not considered to facilitate additional overlooking of surrounding neighbouring properties beyond that of the existing fenestrations within the rear elevation of the dwelling.
- 8.2.6 The new windows within the ground floor side elevation would face the boundary with No. 103. It is noted that they would serve non-habitable rooms (a utility / shower room). Given their siting at the ground floor, paired with the existing close boarded fencing on the boundary it is not considered that these windows would give rise to unacceptable or harmful overlooking of this neighbour such to justify a refusal in this regard.
- 8.2.7 In relation to the new windows within first floor side elevation and the replacement of the existing windows within the side elevation of the dwelling at the second-floor level, these would also serve non-habitable rooms (two bathrooms at both the first and second floor). It is acknowledged that their siting at first and second floor within the side elevation may give rise to an increased perception of overlooking of neighbouring properties, notably the rear amenity gardens of No. 103, 101 and the windows may be visible from those properties north west of the application site being No. 90-98 whose rear amenity gardens face in the direction of the flank elevation of the host dwelling. However, the existing windows at the second floor are fitted with clear glazing and already result in a degree of overlooking.
- 8.2.8 The new windows at the first floor and replacement windows at the second floor are proposed to be fitted with obscured glazing and would be non-openable 1.7m above the finished floor levels of the rooms they serve which would therefore comply with the design criteria at Appendix 2 of the DMP LDD. Any possible views would be predominantly directed outward rather than downward into the private rear amenity gardens of these neighbouring properties. Furthermore, the windows would serve non-habitable rooms, thereby further limiting any potential impact on neighbouring residential amenity. It is further noted that the windows appear to be aligned with the two storey rear extension to No. 103, which would block the majority of views of and from those windows to the surrounding area. In the event permission were to be granted, a planning condition would be imposed to secure the obscure glazing and to ensure that the first and second floor flank windows remain non-openable 1.7m above the finished floor level to limit any harmful overlooking of the neighbouring properties.
- 8.2.9 The relocation of the main entrance door would infill the existing recessed area. Whilst this would bring development further forward, this element would not project beyond the existing face of the dwelling and is therefore not considered to result in any harm to the residential amenities of the occupiers of any neighbouring dwelling.
- 8.2.10 In relation to the garage conversion, the existing garage door would be replaced by a window serving a study room. Whilst this would add a new fenestration to the front façade, views from this window would predominantly overlook the application site frontage and adjacent highway. Given its siting at the ground floor level, it is not considered to result in unacceptable overlooking of any neighbour beyond that of the existing fenestrations within the front elevation of the dwelling.
- 8.2.11 The proposed flank rooflights within the existing front gable would serve the existing bedroom at the second-floor level. The proposed rooflights would serve the new vaulted ceiling. Due to their height and positioning within the roofslope, they are not considered to result in unacceptable or harmful overlooking of neighbouring dwellings.
- 8.2.12 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 Policy DM1 and Appendix 2 of the Development Management Policies LDD.

8.3 Highways and parking provision

8.3.1 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.

8.3.2 The existing dwelling has five bedrooms across the first and second floor. Appendix 5 of the DMP LDD sets out that four or more-bedroom dwellings require 3 assigned spaces. The application site has an existing driveway with off-street parking provision for 2 vehicles. The dwelling also has an existing integral garage, the existing ground floor plan indicates that the existing garage has a dimension of approximately 2.2m x 5m. Hertfordshire County Councils Highways and Growth & Environment, Places & Movement Planning and Design Guidance for Hertfordshire at Part 4 sets out that the minimum bay size for cars inside a garage is 6m x 3m. Therefore, it is considered that with modern standards the existing garage would fall short of these dimensions and is therefore of a size that would be incapable of accommodating a modern vehicle. On this basis, the existing site is considered to have two off street parking spaces and therefore a shortfall of one space.

8.3.3 The proposal is not increasing the number of bedrooms within the dwelling and therefore there would be no additional requirement for off-street parking provision. The proposal includes the conversion of the existing garage; in light of the above assessment, it is not considered that the conversion of the garage would result in the loss of an existing parking space. Therefore, the existing shortfall would remain unchanged. The proposal is therefore considered acceptable in this regard.

8.4 Wildlife considerations

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

8.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies 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.

8.4.3 A Biodiversity Checklist was submitted with the application and 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 bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

8.5 Mandatory Biodiversity Net Gain

8.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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

8.6 Rear amenity

8.6.1 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.

8.6.2 The proposal would not increase the number of bedrooms within the dwelling and there would therefore be no additional requirement for rear amenity space provision. Appendix 2 of the DMP LDD sets out that five-bedroom dwellings would require 126sqm of rear amenity space provision. The application site has an existing amenity space provision of approximately 69sqm, thus there is an existing shortfall. The site would retain approximately 53sqm following implementation of the proposed development resulting in a greater shortfall. Whilst the shortfall is noted, it is not considered to be significant in this regard. A private/useable rear amenity space would be retained, and the application site is within close proximity to publicly accessible open spaces including Croxley Common Moor which is approximately a 3-minute walk from the application site. Thus, the proposal is therefore considered acceptable in this regard.

8.7 Trees and landscape

8.7.1 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.

8.7.2 The application site is not located within a Conservation Area and there are no trees within or adjacent to the application site which are protected by an existing Tree Preservation Order. It is not considered that any trees will be affected by the proposed development and the proposal is therefore considered acceptable in this regard.

9 **Recommendation**

9.1 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: 3902 PPL1, 3902.HH1.B, PP-14559612v1 (Location Plan)

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), Policies DM1, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2, Appendix B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

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

Reason: To 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).

C4 Before the first occupation of the building/extension hereby permitted the window(s) in first and second floor side elevation; shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

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

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

8.2 Informatives

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

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

{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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.
- 15 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>.