

PLANNING COMMITTEE – Thursday 19 March 2026

26/0041/RSP - Part Retrospective: Demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance at 11 PEMBROKE ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE, HA6 2HP

Parish: Batchworth Community Council
Expiry of Statutory Period: 16.03.2026
Extension agreed to 26.03.2026

Ward: Moor Park and Eastbury
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee: Called in by Batchworth Community Council for the reason set out at paragraph 4.1.3 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=T8SW1XQFJJW00>

1 Relevant Planning and Enforcement History

- 1.1 8/108/84 - Replacement garage, utility.
- 1.2 8/457/89 - Dayroom, bedroom in roof.
- 1.3 8/675/91 - Single storey rear extension.
- 1.4 96/0765 - Single storey rear extension – conditional Permission.
- 1.5 24/1025/FUL - Demolition of existing workshop; construction of part single, part two storey rear extension; loft conversion including front/rear dormers and side/rear rooflights; installation of chimney; raised rear patio and internal alterations – Permitted. Partially implemented.
- 1.6 24/1026/FUL - Demolition of existing garage, workshop and front canopy; construction of part single, part two storey side and rear extension; loft conversion including front/rear dormers and side/rear rooflights; relocation of entrance door; installation of chimney; raised rear patio and internal alterations – Refused. Allowed at Appeal.

R1 - The proposed development, by virtue of the overall width and height of the two storey side extension, cumulative impact of the two storey side extension and part single, part two storey rear extension and relocation of the main entrance door and central window within the apex of the gable would result in disproportionate additions to the host dwelling, that subsume the form of the original dwelling, increasing its visual prominence to an unacceptable degree. The lack of spacing to the northern flank boundary would harmfully erode the open and spacious character of the Conservation Area. The proposed development would therefore fail to preserve and enhance the character and appearance of the host dwelling, street scene and Moor Park Conservation Area. The proposed development would cause less than substantial harm under paragraph 208 of the NPPF and the identified harm is not outweighed by any public benefits. The development would be contrary to Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), the Moor Park Conservation Area Appraisal (2006) and the NPPF (2023).

- 1.7 24/1442/FUL - Construction of a two storey and single side and rear extensions; construction of dormer windows to front and rear; installation of rooflights, internal alterations and alterations to fenestration detail – **Refused** for the following reason:

R1 - The proposed development, by virtue of the cumulative impact of the part single front, two-storey side extension and part single, part two storey rear extension would subsume the form of the original dwelling therefore unacceptably eroding the character and appearance of the dwelling. In addition the proposed part single storey front element of the development would appear as an incongruous addition which detracts from the character and appearance of the dwelling. The development therefore would diminish the positive contribution the dwelling has on the Moor Park Conservation Area. The proposed development would cause less than substantial harm under paragraph 208 of the NPPF and the identified harm is not outweighed by any public benefits. The development would be contrary to Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), the Moor Park Conservation Area Appraisal (2006) and the NPPF (2023).

- 1.8 24/1940/FUL - Variation of Conditions 2 (Plans) and Condition 5 (No New Windows/doors) pursuant to planning permission 24/1025/FUL to allow for increase in rear extension depth; increase in height of the side garage extension; alterations to fenestration and new fenestration – Permitted.
- 1.9 25/0186/FUL - Variation of condition 2 (Plans) pursuant to planning permission 24/1025/FUL to allow for increase in depth to the ground floor rear extension, alterations to fenestration of the rear extension and additional fenestrations in the first floor rear and ground floor side elevation – Permitted..
- 1.10 25/1083/CLPD - Certificate of Lawfulness Proposed Development: Erection of 2no. outbuildings – Permitted and Implemented.

2 Description of Application Site

- 2.1 The application site is located on Pembroke Road, Moor Park within the Moor Park Conservation Area. Pembroke Road is characterised by a number of large two storey detached dwellings of varying architectural style and design, some of which appear to have been extended or altered.
- 2.2 The application dwelling is a pre-1958 dwelling and has a dark tiled hipped roof form and an exterior finish consisting of a rough cast white render and red brick quoin detailing to the corners of the dwelling, to the central two storey front gable and above the ground floor front fenestrations. The pre-existing dwelling had been previously extended shortly after its construction with an addition to the southern flank elevation constructed by 1936 (according to the applicant's heritage statement) which whilst not original is considered a very early addition. There was also an attached garage to the opposite side of the dwelling. During the most recent officer site visit it was noted that the planning permission permitted via 25/0186/FUL and the scheme allowed at appeal via LPA planning ref 24/1026/FUL were being implemented on site which cumulatively permitted extensions to the side and rear of the dwelling at both ground and first floor level including a loft conversion with front and rear dormer windows, relocation of the dwellings front entrance and a raised rear patio.
- 2.3 To the front is an existing carriage driveway with an area of soft landscaping to the centre. To the rear of the dwelling is an amenity garden predominantly laid as lawn, the land levels drop slightly towards the rear boundary of the site. Two outbuildings have been constructed to the rear boundary of the site permitted via 25/1083/CLPD.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance.
- 3.2 This application follows the previously approved application via 25/0186/FUL and the scheme allowed at appeal (application 24/1026/FUL). Both of these schemes are currently being implemented on site. The differences between the approved schemes and current are set out within the text below.
- 3.3 For clarity, the development subject of this current application is described in full below.
- 3.4 The existing garage to the side of the dwelling has been demolished and has been replaced by a two-storey side and rear extension which wraparounds the rear of the dwelling at both the ground and first floor.
- 3.5 The two-storey side extension is set back from the principal front wall by approximately 0.2m, has a width of approximately 4.6m and a depth of approximately 13.3m at the ground floor and 7.3m at the first floor. The side projection adjoins the rear projections at both the ground and first floor level. For clarity, the side extension has the same width and setback from the principle front wall as the appeal scheme, and the spacing retained to the flank boundary also remains consistent with this scheme.
- 3.6 To the rear the extension has a depth of approximately 6m and a width of approximately 20.6m at the ground floor. At the first floor the extension has a depth of approximately 4.5m and a width of approximately 11.2m. For clarity the depth of the ground floor rear projection is 1.5m greater than the appeal scheme but identical to the scheme granted under application 25/0186/FUL. The width is the same as the appeal scheme. The first-floor rear projection in terms of its depth and width is the same as the appeal scheme.
- 3.7 The proposal also includes a loft conversion which has been facilitated by a new hipped roof and front/rear dormer windows. The new roof would serve both the side and rear extensions, the two-storey side projection is minimally set down from the ridge line, and the first-floor rear extension is set down further. The two-storey side projection has a ridge height of approximately 9m and the first-floor rear projection has a ridge height of approximately 8.3m. The eaves height remains consistent with the existing eaves line of the dwelling. At the ground floor the rear projection has a flat roof form with a total height of approximately 3.5m. The side and rear projections retain the same height as the appeal scheme. Other than the changes described above, the loft conversion was approved under the appeal scheme, permitting three rear dormers, two front dormers and rooflights.
- 3.8 Three rear dormers are sited within the rear roofslope, all of which have a depth of approximately 1.9m, a width of approximately 1.7m and a height of approximately 1.6m. The dormers have a flat roof and remain set in from all planes of the roofslope. To the front of the dwelling within the principal roof form are two flat roof dormer windows, these have a total depth of approximately 1.7m, a width of approximately 1.2m and a height of approximately 1.6m. The front dormers also remain set in from all planes of the roofslope. The front dormers are slightly smaller than those approved by the appeal scheme and the rear dormers are slightly larger than those approved by the appeal scheme. They remain broadly in the same position within the roofslope., they are however approximately 0.15m deeper, 0.1m wider and 0.1m taller than approved. The front dormers as above remain sited in a similar position to the appeal scheme, would have the same width but would be approximately 0.2m less deep and less tall.

- 3.9 Fenestrations are proposed within the front, side and rear elevation of the dwelling at the ground and first floor level. Including sliding doors within the ground floor rear projection and two roof lanterns within the flat roof form which would take the total height of the rear extension to approximately 3.9m. Two rooflights are proposed within the rear roofslope of the two-storey rear hipped projection.
- 3.10 Within the front elevation of the dwelling, the main entrance door has been relocated to the centre of the existing two storey front gable. The pre-existing main entrance door has been replaced by two new windows within the ground floor front elevation. A circular window has also been installed within the apex of the existing front gable.
- 3.11 The main differences between the scheme allowed at appeal and the proposed retrospective application is the depth of the ground floor rear projection, which had a total depth of approximately 4.5m. The depth of this element is now approximately 1.5m deeper than the scheme allowed at appeal. However, officers would note that when solely looking at the depth of the ground floor in isolation, this depth has been previously approved via 25/0186/FUL.
- 3.12 There are also some changes to fenestrations including the removal of a first-floor window from the side elevation facing No. 13, and two new ground floor windows within this side elevation. There is one less window within the first-floor rear elevation than the appeal scheme, and the proportions of the windows are slightly different.
- 3.13 The rooflights within the rear roofslope of the two-storey rear hipped projection are also slightly smaller than allowed at appeal.
- 3.14 A front porch canopy is also proposed above the dwellings main entrance, this would be fixed to the outer face of the wall projecting beyond it for a depth of approximately 0.5m and would sit at a total height of approximately 2.7m above the natural ground level. The canopy would be Portland stone.
- 3.15 The detailing approved above the garage door within the ground floor front elevation has been omitted since the scheme allowed at appeal.
- 3.16 The resultant dwelling would be finished in smooth K white render with the brick quoins replicated to the permitter of the dwelling. Render is also proposed within the apex of the existing front gable projection and on the ground floor rear projection. The roof tiles are Marley Acme Clay single camber tiles.
- 3.17 To the rear of the dwelling a raised patio is proposed, this would extend the full width of the dwelling and have a depth beyond the rear elevation of approximately 5m, which is approximately 1.1m deeper than the appeal scheme. The raised patio would have a height of approximately 0.5m above the natural ground level with a set of steps to the centre to step down to the lower land level.
- 3.18 Internal alterations to the dwelling's layout are also proposed, the changes from the appeal scheme largely relate to the arrangement of the ground floor level with new internal partition walls.
- 3.19 The remainder of the proposal including spacing to the boundaries, footprint and overall scale and form remains largely consistent with the appeal scheme and 25/0186/FUL.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 National Grid – [No response received]

4.1.2 Batchworth Community Council – [First Comment 26 January] - BCC will defer this application until the next meeting. In the meantime request that the Planning Officer looks at what has been built at their next site visit and inform BCC of the outcome.

4.1.3 Batchworth Community Council – [Second Comment 10 February] The cumulative impact of the two-story side extension which is now closer to the boundaries of numbers 9 and 11 would subsume the form of the original dwelling, unacceptably eroding the character and appearance of the original dwelling and is detrimental to the character of the conservation area. The site coverage is now 22% and exceeds the acceptable plot coverage as stated in MP 58 CCA

BCC concurs with the comments made by Moor Park 1958 and strongly objects to this application. BCC would like to call this into committee unless officers are minded to refuse.

4.1.4 Moor Park 1958 Limited – The Directors of Moor Park (1958) Limited strongly object to the proposal as it now stands.

You will be aware we made a limited comments with respect to Application 24/1025/FUL and the subsequent applications for Variation of Condition relating to this, and also with respect to Application 24/1026/FUL, when it was submitted we noted that this constituted a two storey side extension, but that it contained the benefit of the flank wall of the existing attached garage being moved away from the boundary, creating greater space between the building and the boundary and between the buildings at No 11 and No 9 Pembroke Road and also reduced the built frontage. What has now happened is that the benefit of the single storey element being moved away from the boundary creating more space between the buildings and reducing the built frontage has not only not occurred but a two storey element has been built above it, creating a bulky construction close to the boundary between No 9 and No 11 and closing the first floor space which previously existed.

We are also aware that there has continuous increase in the site coverage of the building with applications to vary plans and with each application increasing the site coverage of the building. The extension has been pushed further and further into the garden of No 11, resulting in the construction of a raised patio also needing to be formed further into the rear garden. The site coverage now proposed is well in excess of the 15% set out in the MPCAA. We are sure you will have noted that in 2025 a Certificate of Lawful Development was granted for two buildings in the rear garden (one being an office and the other a shed). The site coverage of buildings now proposed for the site is now approximately 22%, well above the 15% set out in the MPCAA.

The original proposal for a two-storey side extension of lesser width than the existing single storey garage the subject of Application 24/1026/FUL contained the benefit of reducing the built frontage and increasing the space between the flank wall of the house at No 11 and both the boundary with No 9 and house at No 9. The current proposal contains no such benefit and results in a bulky appearance close to the boundary and detrimental to the character of the Conservation Area. This together with the excessive site coverage now proposed through continuous increases in the size of the proposed extension forms a development in breach of policy and accordingly should be refused.

4.1.5 Conservation Officer – [No Objection]

The application is for Part Retrospective: Demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance.

The property is in the Moor Park Conservation Area and prior to recent alterations was considered to make a positive contribution to its significance.

The current proposal follows several previous applications, including an application allowed at appeal under reference 24/0041/REF or APP/P1940/D/24/3355441. The heritage consultation response raised concerns over the scale and siting of those proposed extensions.

The two-storey side and rear extensions in the current application appear similar or identical to those allowed under the appeal scheme so there is no further heritage comments on these.

The depth and design of the single storey rear element is the same as in a separately approved scheme under reference 25/0186/FUL.

This would result in a slightly larger single storey rear extension than was included in the scheme allowed under planning appeal. However, as it is a single storey rear element and is only slightly larger, the difference in terms of impacts on the Conservation Area would be negligible.

In the context of the above, there is no heritage objection to the current proposal. This response has been made with regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

- 4.1.6 Officer Comment – Comments from Batchworth Community Council and Moor Park (1958) Limited are noted, to clarify the width of the two-storey side extension remains the same as that subject of application 24/1026/FUL which was refused by the LPA and subsequently allowed at appeal.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 6 No of responses received: 1 [1 Objection Received]

4.2.2 Site Notice Posted: 24.01.2026, Expired: 14.02.2026

4.2.3 Press Notice Published: 30.01.2026, Expired: 20.02.2026

4.2.4 Summary of Responses:

- Overdevelopment and proximity to the boundary – side extension too close to the boundary.
- Loss of privacy and overlooking – side facing windows should be obscure glazed and non-opening.
- Loss of light – height of the single storey rear extension significantly higher than expected and causing noticeable loss of light to house and garden.
- Rooflight design – lantern would add unnecessary height and bulk worsening impacts on neighbouring amenity.
- Privacy impacts from garden outbuildings

5 Reason for Delay

5.1 No Delay.

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).

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

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, DM3, DM6, DM13, Appendix 2 and Appendix 5.

Batchworth Neighbourhood Plan 2023 – 2028 (Submission Version). Relevant policies include: BW GB1 and BW DE1.

Other

Moor Park Conservation Area Appraisal (2006).

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

7 Planning Analysis

7.1 Overview

- 7.1.1 Planning permission 24/1025/FUL granted a part two storey, part single storey side/rear extension and raised rear patio. The ground floor extension had a depth beyond the main rear elevation of 4.5m, extending across the entire width of the property. The first floor had a depth of 4.5m. Application 24/1940/FUL included an increase to the depth at ground floor level to the outer parts of the rear extension only. Application 25/0186/FUL included an increase to the depth of the entire rear extension to a maximum of 6m. The footprint of the development sought by the current application is identical to that which would result from 25/0186/FUL but includes a first-floor side extension which was permitted at appeal under application 24/1026/FUL. The application site is currently being developed in accordance with the scheme allowed at appeal (24/1026/FUL) and the most recent variation of condition application 25/0186/FUL.
- 7.1.2 The proposal subject of this current application remains largely consistent with the appeal scheme in terms of its overall scale, form and design, with the notable exception of an increased depth to the ground floor rear projection. However, a ground floor rear extension of the same depth was permitted via application 25/0186/FUL. Other changes include the introduction of a porch canopy above the dwelling's main entrance which has not previously been approved. Alterations to external materials and internal alteration to the dwelling's layout are also proposed, in addition to alterations to the scale of the front and rear dormer windows and alterations to fenestrations and the raised rear patio, the depth of the raised rear patio is approximately 1.1m deeper than the appeal scheme.
- 7.1.3 This application in addition to the new elements mentioned above also seeks to regularise the development as implemented on site and to consolidate the approved position.

7.2 Design and Impact on the Host Dwelling, Street Scene and Conservation Area

- 7.2.1 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'.
- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 Appendix 2 of the DMP LDD sets out that with regards to single storey rear extensions generally the maximum depth should be 4m in the case of detached dwellings. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent. With regards to two storey rear extensions the guidelines set out that in terms of size and volume, each application will be assessed on its individual merits according to the characteristics of the particular property.
- 7.2.5 Appendix 2 of the DMP LDD sets out with regards to dormer windows that these should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either end of the roof and set back from the plane of the front or rear wall. The roof form should respect the character of the house if possible. Front dormers may not

always be appropriate in the streetscene, and multiple dormers should be proportionate in scale and number to the host roof.

- 7.2.6 With regards to two storey side extensions these may be positioned on the flank boundary provided that the first floor element is set in by a minimum of 1.2 metres. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In this case, the Moor Park Conservation Area Appraisal sets out that a minimum of 1.5m spacing should be retained to flank boundaries. A 1.5m spacing would therefore be sought in this case.
- 7.2.7 In relation to development proposals in Conservation Areas, Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the Conservation Area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.
- 7.2.8 The adopted Moor Park Conservation Area Appraisal is also relevant to the assessment of this application and states the following:
- ‘The Council will give a high priority to retaining buildings which make a positive contribution to the character or appearance of a Conservation Area. As a guide, the Council will seek the retention of buildings on the estate erected up to 1958 when the original estate company was wound up.’
- 7.2.9 The Moor Park Conservation Area Appraisal also states that ‘buildings including all out buildings (garages, car ports etc) should not cover more than 15% of the plot area’, development should not occupy more than 80% of the frontage width of the plot and a minimum of 1.5m spacing should be retained to flank boundaries The Conservation Area Appraisal guidance is in order to retain the spacious nature and character of the estate and Conservation Area.
- 7.2.10 It is acknowledged that the plot width and plot coverage figures below differ from the previous applications, however these figures have been recalculated from the plans submitted under this current application and have been summarised in the table below.

| | Pre-existing | Approved (Appeal Scheme) | Proposed (Current Application) | Proposed (including outbuildings permitted via 25/10832/CLPD) |
|---------------|--------------|--------------------------|--------------------------------|---|
| Plot Width | 87% | 85.83% | 85.83% | - |
| Plot Coverage | 10.6% | 15.2% | 17.22% | 20.7% |

- 7.2.11 The pre-existing dwelling had a plot width coverage of approximately 87% which failed to comply with the appraisal requirements. It is acknowledged that the width in part was formed by the pre-existing single storey flat roof garage adjacent to No. 9 Pembroke Road which has since been demolished and replaced by the extensions subject of this application. The two-storey side extension which formed a part of the scheme allowed at appeal has a slightly lesser width than the pre-existing dwelling, this reduction in width results in a 1.17% reduction in plot width coverage relative to the pre-existing situation, with the resultant dwelling having a plot width coverage of 85.83%. The plot width coverage remains the same as the scheme allowed at appeal. The appraisal sets out that *‘where existing buildings covers 80% or more of the plot width at the building line, further extension towards the boundaries (or upwards) will not be permitted’*. At paragraph 14-21 of the appeal decision [APP/P1940/D/24/3355441], the Planning Inspectorate sets out the following in relation to the additional built form of the two-storey side projection:

'The proposed two-storey side extension would be set back from the front elevation and have its ridge set down, visually mirroring the existing extension on the opposite side of the property. The existing quoins on the front façade of No 11 would protrude past the proposed side extension which would distinguish the host property from the extension. In relation to the two-storey rear extension the ridges would be set down from the existing ridge and the single storey elements would have a flat roof. The proposed front and rear dormers would be small and with a flat roof design.

Based on the design of the extensions, they would be distinguishable and subordinate additions to the property which would not subsume No 11 when viewed either in isolation or as a collective. The positive architectural features of the property would still be apparent and continue to positively contribute to the property itself and the wider CA.

The proposed two-storey side extension would bring additional development at first-floor level closer to the boundary with No 9. However, due to the subordinate design of the extension, the spacious and open character and appearance of the plot and wider area would be retained.

Furthermore, due to the varied form of the properties within Pembroke Road and the wider CA, the introduction of symmetry to No 11 brought through the side extension, relocation of the front door and introduction of the window within the apex of the front gable would be in keeping with the character and appearance of the host property and wider area.

The CA Appraisal sets out design standards for development within the CA relating to separation, width and plot coverage. I note that there some disagreement between the parties whether the proposed development would comply with some of these standards.

The CA Appraisal explains these design standards are to maintain the open character of the estate and avoid the overdevelopment of plots. As I have found that the proposed development would achieve this, it is not necessary to forensically examine whether the proposal would exactly meet the design standards listed in the CA Appraisal.

For the reasons I have given, the proposed development would have a neutral effect on the character on the character and appearance of the CA. The proposal would also be in keeping with the character and appearance of No 11 and the area.

I therefore find that the proposal would preserve the character and appearance of the CA. The proposal would accord with the requirements of the LBCA and paragraph 212 of the National Planning Policy Framework (the Framework), which states that great weight should be given to the conservation of heritage assets. The proposal would comply with Policies CP1 and CP12 of the Three Rivers District Council Core Strategy Local Development Framework (2011) and Policies DM1 and DM3 of the Three Rivers District Council Development Management Policies Local Development Document (2013). These policies seek to ensure that development is sustainable and achieves a high standard of design along with preserving or enhancing the historic environment.'

- 7.2.12 Given that the two-storey side projection remains the same as the scheme allowed at appeal in terms of scale and footprint, it is not considered that this element, or the resultant plot width coverage, would result in demonstrable harm to the character or appearance of the host dwelling or streetscene given the spacing retained to the boundary and the set down from the ridge. In the context of the appeal decision, the current proposal would similarly preserve the character and appearance of the Conservation Area as set out within the appeal decision above.
- 7.2.13 The pre-existing dwelling had a plot coverage of approximately 10.6%, the scheme allowed at appeal had a plot coverage of approximately 15.2% and the development currently being implemented on site has a plot coverage of approximately 17.22%. It is also worth noting that there was a separate scheme approved via 24/1025/FUL where the plot coverage was

16.1%, exceeding the 15%. This scheme was subsequently varied via 24/1940/FUL which did not increase the overall plot coverage, this was then varied again via 25/0186/FUL which increased the total plot coverage to 16.5%.

- 7.2.14 It is therefore acknowledged that the total plot coverage would exceed the guidelines set out within the appraisal. However, it is also noted that a similar scale of development was permitted under the appeal scheme. The additional plot coverage in this case arises from the increased depth of the ground floor rear projection when compared to the appeal scheme. It is noted that the depth in isolation has been previously approved under the variation of condition application, LPA reference 25/0186/FUL. Given its single storey form, separation from the boundary and flat roof design it is not considered that this element would appear disproportionate or visually incongruous in the context of the host dwelling or streetscene. It is also important to acknowledge that the depth, assessed independently has been accepted as having an acceptable impact on the character and appearance of the host dwelling as well as preserving the character of the Conservation Area through the previous approval.
- 7.2.15 It is noted that concerns have been raised regarding the increased plot coverage arising from the outbuildings within the rear garden which have been implemented. These outbuildings were subject of approval via LPA reference 25/1083/CLPD. The appraisal indicates that all structures need to be considered and therefore, if the LPA were to include the outbuildings within the calculations this would increase the plot coverage to approximately 20.7%. Notwithstanding this, it is noted that the outbuildings benefit from approval under permitted development under planning reference 25/1083/CLPD, however it is not disputed that this built form increases the plot coverage on the site. They do however remain considerably set back from the adjacent highway and would not be readily visible from the Conservation Area. The purpose of the guidance is to retain the spacious nature and character of the estate and Conservation Area, despite the notable increase in plot coverage, it is not considered that the proposal would materially conflict with the aims and owing to their spacing to the boundaries and single storey form would not result in material harm to the spacious character of the Conservation Area. However, in the event permission were to be granted a condition removing permitted development rights under Class E would be considered appropriate to preserve any further increase in plot coverage, or additional built form which may disrupt the open and spacious character of the Conservation Area and ensure that the LPA has further control over development in this regard.
- 7.2.16 Having regard to the two-storey rear projection, the total depth and width remain the same as the appeal scheme and the previous approvals; it retains the hipped roof and would be set down from the ridge line of the dwelling and would therefore read as a subordinate addition. Thus, it is not considered that this element would appear incongruous or increase the prominence of the host dwelling to an unacceptable degree and would preserve the character of the host dwelling.
- 7.2.17 The proposed rear dormers remain largely in the same position as the appeal scheme, they are however approximately 0.15m deeper, 0.1m wider and 0.1m taller than approved. The front dormers as above remain sited in a similar position to the appeal scheme, would have the same width but would be approximately 0.2m less deep and less tall. The dormer windows despite the changes from the appeal scheme are considered to remain of a modest scale and remain set back from the eaves and down from the ridge, it is noted that the central rear dormer would adjoin the flank roofslope of the two story rear hipped projection by virtue of its increased width and height, However, in light of its modest scale and the context of the approvals, this element of the proposal is not considered to give rise to demonstrable harm to the character or appearance of the host dwelling or wider streetscene. There are also notable examples of front dormer windows within the streetscene such that the additions to the host dwelling would not appear unduly out of character and would preserve the character of the Conservation Area.

- 7.2.18 The relocation of the main entrance door to the existing front gable projection was previously refused via LPA reference 24/1026/FUL, this scheme was however subsequently allowed at appeal as mentioned above. This element of the proposal, including new windows within the ground floor front elevation and the circular window within the apex of the gable remain the same as the appeal scheme. Officers had previously raised concerns with this element and its cumulative impact with the two-storey side extension for the introduction of symmetry to the front elevation. The Planning Inspectorate in this regard gives weight to the varied form of properties within the streetscene on Pembroke Road and set out the following *'the introduction of symmetry to No 11 brought through the side extension, relocation of the front door and introduction of the window within the apex of the front gable would be in keeping with the character and appearance of the host property and wider area'*. Given that this element remains the same as the appeal scheme, it is not considered that this would give rise to demonstrable harm to the character or appearance of the host dwelling such to justify a refusal and the proposal would preserve the character of the Conservation Area.
- 7.2.19 Whilst some changes to fenestrations are proposed, the style and design of the windows would remain consistent with the style and appearance of the pre-existing windows as well as those approved via the appeal scheme. Thus, it is not considered that this would give rise to demonstrable harm to the character or appearance of the host dwelling, streetscene or wider conservation area.
- 7.2.20 The rooflights to the rear and flank roofslope of the two-storey rear hipped projection would be largely screened from view of the streetscene by virtue of their siting. Given the limited number and that the remainder of the roof surrounding the rooflight would remain legible it is not considered that this would result in harm to the character or appearance of the host dwelling and it is noted that rooflights were approved in a similar location to those currently proposed with the exception that the rear rooflights are slightly smaller than approved further reducing their visual impact.
- 7.2.21 The raised rear patio would not be readily visible from the streetscene owing to its siting. The land levels drop to the rear of the site, and it is therefore considered that a platform would be necessary to facilitate access from the rear extension down to the level of the lawn. The patio remains set in from both boundaries and is not considered to be excessive in terms of its overall height. Thus, it is not considered that this would result in harm to the visual amenities of the streetscene or wider conservation area.
- 7.2.22 The proposed front porch canopy would be readily visible from the streetscene. It would however remain modest in scale and be pertained to the dwellings main entrance. Whilst this would introduce additional built form, it should be noted that the pre-existing dwelling benefited from a canopy over the dwellings main entrance. There is also variation within the streetscene in terms of front projections and on balance it is not considered that this element would increase the prominence of the dwelling to an unacceptable degree.
- 7.2.23 The dwelling is proposed to be finished in smooth render; this would be broken up by the existing brick detailing and quoins around the windows on the front elevation of the dwelling and the existing brick of the front gable projection. The pre-existing dwelling was white rendered, and it is therefore not considered that the proposed materials would appear unduly out of character and would be considered to preserve the character of the conservation area.
- 7.2.24 The internal alterations to the dwellings layout are not considered to result in demonstrable harm to the character or appearance of the host dwelling, streetscene or Conservation Area.
- 7.2.25 In summary, subject to conditions the proposed development would not result in any adverse harm to the character or appearance of the host dwelling or streetscene and would preserve the character of the Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), Policy BW DE1 of

the Batchworth Neighbourhood Plan 2023-2038 (Submission Version) and the Moor Park Conservation Area Appraisal (2006).

7.3 Impact on amenity of neighbours

- 7.3.1 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'.
- 7.3.2 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.
- 7.3.3 Planning application reference 24/1026/FUL was refused by the LPA on grounds relating to impact on character. The application was subsequently allowed at appeal, as referenced in an earlier section of this report.
- 7.3.4 The previous scheme was not refused on the basis of its impact on neighbouring amenity and this matter was not identified as forming part of the reason for refusal. The development is currently being implemented on site and remains, in the main, consistent with the scheme approved at appeal. However, there are additional elements as set out in the earlier section of this report, which differ from the approved plans.
- 7.3.5 Given these changes, it is necessary to reassess the development in full, having regard to the approved appeal scheme and subsequent variation of condition applications also approved, as well as all other material considerations.
- 7.3.6 The two storey side extension has been erected adjacent to the boundary with No. 9 Pembroke Road, replacing the pre-existing garage projection. The built form has a reduced width compared to the former garage structure, thereby increasing the separation distance to the shared boundary with the neighbouring property. It is material to note that the scale and footprint of the extension remain consistent with the scheme previously allowed at appeal with the exception of the ground floor depth to the rear which will be discussed in turn below. In amenity terms, the two storey side extension introduces additional built form at the first floor level closer to the shared boundary than previously existed. Whilst spacing to the boundary has increased, the development does not achieve the 1.5m separation guideline referenced within the Conservation Area appraisal.
- 7.3.7 Notwithstanding this, the extension remains set down from the ridge line of the host dwelling and does not project beyond the rear building line of this neighbouring dwelling. Furthermore, the neighbouring dwelling is positioned further from the shared boundary. Thus, it is not considered that the development gives rise to an overbearing form of development or materially harmful loss of light to the occupiers of this neighbouring dwelling.
- 7.3.8 With regard to privacy, it is acknowledged that the side extension includes window openings closer to the boundary both within the front, side and rear elevation. Whilst this introduces potential for additional overlooking, the orientation of the windows means they predominantly afford views across the frontage of the application site and private rear amenity space. Any oblique views towards the neighbouring rear garden are considered to be limited and are not considered to result in a materially harmful loss of privacy beyond the extent of the pre-existing situation. In the event permission were to be granted, a condition would be added to the first-floor flank window requiring that this be fitted with obscured glazing to limit unacceptable overlooking of this neighbour, the flank windows in relation to the neighbour at No. 9 remain the same as the appeal scheme.

- 7.3.9 Turning to the part single, part two storey rear extension, the first floor element has been constructed in accordance with the appeal scheme in terms of its depth, width and height. In respect of the ground floor element, it is acknowledged that the depth as constructed extends approximately 1.5m beyond that shown on the appeal scheme. However, separate to the appeal scheme, planning permission was previously granted for rear extensions (excluding the two-storey side extension) under reference 24/1025/FUL. That permission was subsequently varied under a Section 73 application under reference 25/0186/FUL, through which the deeper ground floor rear footprint was approved by the local planning authority. In determining the Section 73 application, officers acknowledged that the depth exceeded the design criteria at Appendix 2. Notwithstanding this, it was accepted on the basis of its single storey form, flat roof design and separation maintained to the flank boundaries. It is also material that the ground floor rear projection approved at appeal already exceeded the relevant design criteria in terms of depth, and was similarly considered acceptable on amenity grounds having regard to its scale, siting and relationship to neighbouring properties.
- 7.3.10 The overall width and height remain consistent with the appeal scheme. Given the retention of the flat roof design, the separation to the boundaries and the absence of any increase in height it is not considered that the development to the rear gives rise to an overbearing form of development or materially harmful loss of light to the occupiers of either neighbouring dwelling.
- 7.3.11 The fenestrations within the rear elevation of the dwelling, at both ground and first floor level are not considered to increase overlooking of neighbouring properties beyond that of the existing situation. While there are minor changes to the proportions and number of windows, most notably a slight reduction in first floor windows and alterations to the ground floor glazing these are not considered to result in additional harm to privacy.
- 7.3.12 The first-floor flank window adjacent to No. 13 serves a habitable room (Bedroom 3). It is noted that this window is a secondary window to this bedroom and therefore given the siting of the window at first floor a condition would be added to any grant of permission to ensure this window is fitted with obscure glazing and fixed shut 1.7m above the finished floor level of the room it serves to prevent additional overlooking of this neighbour.
- 7.3.13 The front dormers have been constructed at a slightly reduced scale to the appeal scheme. These were previously considered acceptable, given that the outlook would predominantly be over the site frontage, coupled with their limited overall scale and number. As such, it is not considered that these result in unacceptable overlooking of neighbouring properties.
- 7.3.14 The rear dormer windows would predominantly overlook the applications sites rear amenity space. Given their siting at the second-floor level, some views may extend towards the rear gardens of neighbouring properties. While the scale of the rear dormers has slightly increased compared to the scheme allowed at appeal, the number of windows at this level remains unchanged. For the reasons set out above, these alterations are not considered to give rise to materially harmful overlooking of either neighbour.
- 7.3.15 The rear rooflights would predominantly overlook the application sites rear amenity space, given their positioning at second floor level it is considered that some views may be afforded towards the rear gardens of both No. 9 and No. 13. Given their positioning within the roofslope it is not considered that this would give rise to unacceptable levels of overlooking of either neighbour such to justify the refusal of permission in this regard and it should be noted that their scale is reduced from the appeal scheme. The flank rooflights within the rear hipped projections would face inward, into the central valley and as such are not considered to result in additional overlooking of any neighbour.
- 7.3.16 The relocation of the main entrance within the existing central gable is not considered to give rise to any harm to the residential amenities of the occupiers of any neighbouring dwelling beyond that of the existing situation. The new fenestration at ground floor that

would replace the existing entrance would predominantly overlook the application sites frontage and are not considered to increase overlooking of any neighbour beyond that of the existing situation. It is acknowledged that a new circular window is proposed within the apex of the central gable at second floor level. Given the positioning of the window it is considered that this would largely overlook the site frontage, this window would serve the stairwell and given the separation of the highway is not considered to result in unacceptable overlooking of any neighbour such to justify refusal of permission in this regard. It should also be noted that this element of the proposal remains consistent with the appeal scheme with the exception of the front porch canopy, which given its modest scale and projection is not considered to result in any harm to neighbouring amenity.

- 7.3.17 The raised patio would replace the pre-existing raised patio and would extend only in line with the flank walls of the resultant dwelling, While a raised patio of the same width was consented under the appeal scheme, the depth of the patio is approximately 1.1m deeper than approved. Therefore, sits deeper into the site where land level differences are greater. Given its deeper projection, despite the separation from the shared boundaries it is considered that this could increase both perceived and actual overlooking of neighbouring properties. Therefore, in the event permission were to be granted a condition would be added requiring the installation of a privacy screen to both edges of the patio for its full depth at a height of 1.8m above the patio level, to prevent unacceptable overlooking of both neighbouring dwellings.
- 7.3.18 Overall, having regard to the appeal approved scheme and the separate extant permission for the deeper rear projection, the development as constructed is not considered to result in unacceptable harm to the neighbouring residential amenity as set out above.
- 7.3.19 In summary, subject to conditions 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.

7.4 Wildlife and Biodiversity

- 7.4.1 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.
- 7.4.2 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.
- 7.4.3 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.

7.5 Mandatory Biodiversity Net Gain

- 7.5.1 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).

7.5.2 Policy BW GB1 of Batchworth Neighbourhood Plan 2023-2038 (Submission Version) sets out that Development proposals must manage impacts on biodiversity and secure a minimum net biodiversity gain of 10% on site, unless impractical given site constraints, as demonstrated through use of the most up-to-date version of Natural England biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material.

7.5.3 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.

7.6 Trees and Landscaping

7.6.1 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.

7.6.2 The application site is located within the Moor Park Conservation Area, whilst there are no trees within the site with an individual tree protection order on them, all trees would be afforded protection by way of the Conservation Area designation. It is noted that a number of trees have been removed from the application site during the implementation of the development, notably on the boundary with No. 13 Pembroke Road. The removal of the trees from the site benefit from separate tree works consent via 23/1137/TCA which granted the following works:

T1 – Cypress – Fell and remove stump

T2 – Cypress – Fell and remove stump

T3 – Yew – Fell and remove stump

G4 – Thuja plicata x 11 – Fell and remove stump

T5 – Apple – Fell and remove stump

7.6.3 It is not considered that any works beyond those consented have been carried out on site and the application form declares that no trees or hedges will need to be removed or pruned in order to carry out the development. The proposal is therefore considered acceptable in this regard.

7.7 Rear amenity

7.7.1 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.

7.7.2 The proposed development would increase the number of bedrooms within the dwelling by two, resulting in a seven-bedroom dwelling. Appendix 2 of the DMP LDD sets out that a 7-bedroom dwelling would require 168sqm of rear amenity space. The application site would retain approximately 854sqm of rear amenity space which would comply with the above and be considered sufficient for a dwelling of this size. The proposal is considered acceptable in this regard.

7.8 Highways, Access and Parking

7.8.1 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.

7.8.2 The proposed development would increase the number of bedrooms within the dwelling by two, resulting in a seven-bedroom dwelling. Appendix 5 of the DMP LDD sets out that a four or more-bedroom dwelling would require 3 assigned spaces within the dwelling's curtilage. Whilst the number of bedrooms would increase there would be no increased requirement for parking given that the existing dwelling has 5 bedrooms and already requires 3 spaces. In any case, the dwelling would retain sufficient space within the frontage to accommodate 3 vehicles and is therefore considered acceptable in this regard.

7.9 Permitted Development Removal

7.9.1 To ensure adequate planning control over further development having regard to the limitations of the site and in the interests of the visual amenities of the site and wider area it was considered appropriate to remove the following classes of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification).

Part 1

Class E - buildings etc incidental to the enjoyment of a dwellinghouse

7.9.2 It is considered appropriate, reasonable and necessary to remove Permitted Development rights to avoid a further incremental increase in plot coverage and erosion of the spacious character of the Conservation Area.

8 **Recommendation**

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

C1 The parts of the development hereby permitted and not begun 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: 6043 011 (Pre Existing Floor Plans), 6043 020 (Pre Existing Elevations), 6043 310 A (Pre Existing & Proposed Site Plan), 6043 311 REV B (Proposed Floor Plans), 6043 310 (Pre Existing and Proposed Block Plan), 6043 312 REV F (Amended Proposed Elevations), TRDC01 (Location Plan)

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM9 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013), Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version) and the Moor Park Conservation Area Appraisal (2006).

- C3 The extension(s) shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Number 6043 312 REV F and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the building is satisfactory 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 the first-floor side elevations adjacent to No. 9 and 13 Pembroke Road 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 or similar openings [other than those expressly authorised by this permission] shall be constructed in the first-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).

- C6 The flat roof of the single storey rear projection hereby permitted, shall not be used as a raised terrace/balcony for amenity purposes at any time and shall only be accessed for maintenance purposes.

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).

- C7 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place to the application dwelling or within its curtilage:

Part 1

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

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

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities

of the site and character of the conservation area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version) and the Moor Park Conservation Area Appraisal (2006).

- C8 Prior to the first use of the raised patio hereby permitted, 1.8m high (from patio floor level) privacy screens shall be erected to both sides of the patio for its full depth of 5m and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

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 and include 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 development 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>.