

PLANNING COMMITTEE – Thursday 23 April 2026

26/0118/FUL – Demolition of existing shed, storages and garage; construction of two-storey side extension and single-storey rear and extension; loft conversion including rear dormer; construction of replacement garage; solar panels and heat pump at 62 Station Road, Kings Langley, Hertfordshire, WD4 8LB

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 25.03.26.
Extension of Time: 30.04.26

Ward: Gade Valley
Case Officer: Clara Loveland

Development Type: Householder development

Recommendation: That planning permission be granted, subject to conditions.

Reason for consideration by the Committee: Called in by three Members of the Planning Committee unless officers are minded to refuse, due to concerns about over-development of the site.

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=T9IFHSQFJQ500>

1 Relevant planning history

- 1.1 26/0069/CLPD - Certificate of Lawfulness Proposed Development: Change of use of residential dwelling (Use Class C3) to a small House of Multiple Occupation (Use Class C4) for a maximum of 6 occupants. **Approved.**
- 1.2 25/1960/CLPD - Certificate of Lawfulness Proposed Development: Loft conversion including rear dormer; single-storey rear extension; demolition of existing garage and construction of replacement garage; solar panels and heat pump. **Approved.**
- 1.3 25/1961/FUL Demolition of existing shed and storages; construction of two-storey side extension, single-storey rear extension, replacement of detached garage, addition of front solar panels and rear air source heat pump. **Withdrawn.**
- 1.4 25/1355/FUL - Change of use from a dwellinghouse (Use Class C3) to a 9-bedroom HMO (Sui generis); Demolition of existing shed and construction of single-storey rear extension and two-storey side extension, loft conversion including rear dormer and front rooflight, with associated binstore and bike parking. **Withdrawn.**

2 Site description

- 2.1 The application site contains a semi-detached dwelling located on Station Road, Kings Langley. The dwelling has a grey tiled pitched roof form, and a white painted pebbledash render exterior.
- 2.2 To the front of the dwelling, there is a mixture of hard and soft landscaping. The dwelling contains a rear vehicle access, off Egg Farm Lane. The neighbouring properties are semi-detached dwellings of similar scale.
- 2.3 The application site is currently subject to building works, and it is understood that these comprise the works subject to the lawful development certificate 25/1960/CLPD being implemented.

3 Description of proposed development

- 3.1 This application seeks planning permission for the demolition of existing shed, storages and garage; construction of two-storey side extension and single-storey rear and extension; loft conversion including rear dormer; construction of replacement garage; solar panels and heat pump.
- 3.2 Amended plans were obtained during the application to a) alter the roof to the first floor side extension from a hipped roof to a gable roof, b) omit the proposed front parking spaces and c) correct discrepancies across the plans. The amended plans show the following development:
- 3.3 The ground floor would be extended by a depth of 3m from the rear elevation and wrap around to a width of 3.4m beyond the southern flank of the dwelling, and would have a depth of 11.2m along this flank. The ground floor would be set up to the southern boundary line at ground floor and set back 0.5m from the front elevation. The ground floor would have a flat roof with a height of 3m. The extension would have front and rear facing windows and a door within the rear elevation.
- 3.4 The first floor would extend along the southern flank wall and would hold a depth of 7.6m and width of 2.2m. It would be set in from the front and rear walls by 0.5m and set in from the southern boundary line by 1.2m. The first floor would have a gable roof form with a ridge height of 8m, set down from the existing ridge line by 0.3m. There would be a front-facing window within the first-floor extension.
- 3.5 The rear dormer would have a width of 5.5m and depth of 3.8m. It would have a flat roof with a height of 2.1m. There would be 2 windows within the rear elevation of the dormer window. There would be solar panels on the flat roof of the rear dormer and within the front roof slope. This element is in the same location and has the same dimensions as the dormer found to be lawful as part of lawful development certificate 25/1960/CLPD.
- 3.6 The extensions to the dwelling would be finished in materials to match the existing dwelling.
- 3.7 The garage would be located to the rear of the site. It would have a depth of 6.5m, width of 4m and a flat roof with a height of 2.5m. This element is in the same location and has the same dimensions as the garage found to be lawful as part of lawful development certificate 25/1960/CLPD.
- 3.8 There would be an air source heat pump installed at the ground floor level to the rear of the single-storey rear extension. It would have a width of 1m, depth of 0.4m and height of 1m. This element is in the same location as the heat pump found to be lawful as part of lawful development certificate 25/1960/CLPD.
- 3.9 The proposed development would result in a 4-bedroom dwelling (net gain of 1 bedroom from the existing).
- 3.10 The proposal would have 1 off-street parking space (within the rear garage).

4 Consultee responses

- 4.1 Abbots Langley Parish Council – Objection and called into the planning committee.

Whilst we acknowledge the attempt to reduce the volume of the scheme, this amended proposal still fails to address the fundamental concerns regarding overdevelopment, highway safety, and visual harm.

While this application no longer explicitly references a House in Multiple Occupation (HMO), the provision of seven habitable rooms strongly suggests such an intensification of use. Nevertheless, we address these comments to the proposal as an "enlarged family home," which remains wholly inappropriate for this site.

1. Overdevelopment and Inadequate Parking Provision

The proposal represents a significant overdevelopment of a constrained corner plot. The intensification of the site is not supported by viable off-road parking. We note that the existing site plan is demonstrating an existing provision for off road parking directly off the public highway however evidence from 2020 demonstrates no such provision and we can find neither application or

approval on the Planning Website to demonstrate that this is compliant, we would seek confirmation from the officer.

- **Highways Conflict:** The proposed parking layout is unfeasible due to its proximity to a busy junction and its direct conflict with an existing bus stop which would require a 10 clear zone.
- **Safety Risk:** The increased vehicle movements, combined with the "visual block" created by stationary buses and disembarking / waiting passengers, poses a clear risk to highway and pedestrian safety.
- **Policy Failure:** Consequently, the scheme fails to meet the parking requirements for a dwelling of this scale, placing further pressure on a highway already restricted by "no parking" zones due to the proximity of the busy junction.

We note that there is insufficient evidence for the vehicle crossover to confirm sight line and the fact that the vehicle would have to reverse back onto the public highway, we would be grateful if we could see the Highways response to these proposals as we feel the proposals as demonstrated do not meet public highway safety standards.

2. Harmful Impact on the Street Scene and Character

As a prominent corner site at the junction of **Station Road, Egg Farm Lane, and Roman Gardens**, this building is a key focal point. The proposed redesign is contrived and introduces a "jumble" of discordant architectural features.

- **Incoherent Design:** The mix of flat-roofed single-storey elements and hipped extensions fails to harmonize with the predominant **gable-roof character** of this specific junction.
- **Visual Massing:** Even with the 1.2m setback, the cumulative massing results in a cramped appearance that detracts from the open character of the street scene.
- **Character and Street Scene:** Development must reflect local building types, using matching materials and ensuring they are not "unduly prominent" within the street scene.

3. Non-Subordinate and Discordant Roofscape

The proposed box dormer is a particularly harmful addition. It fails the "subordinance test" required for residential extensions as it is:

- Not set down from the ridge;
- Not set in from the flanks;
- Not set back from the rear wall. Instead of appearing as a sympathetic addition, it presents as a bulky, top-heavy feature that dominates the host dwelling.
- We are further concerned that the proposal of the box dormer against the adjoined boundary property of Egg farm lane, which sits with its flank against the host house elevation, would constitute overlooking of private amenity space within the rear garden and would constitute an overbearing element to occupants of this property.

4. Direct Policy Contravention

The scale, massing, and lack of design hierarchy ensure the proposal is in direct conflict with:

- **Core Strategy (2011) Policies CP1 and CP12:** Which mandate high-quality design that protects local character.
- **Development Management Policies (2013) Policy DM1 & Appendix 2:** Which require extensions to be subordinate, sympathetic, and respectful of the host building's proportions.

Conclusion *The minor amendments do not mitigate the overarching harm caused by this development. The proposal remains an unacceptable intensification of the site that ignores local character and creates highway safety concerns.*

4.2 National Grid – No response received.

4.3 Hertfordshire Highways – No objection.

“The bus stop is still in use (albeit intermittently) on Wednesdays. As a result, we as the HA would be against any proposed vehicular accesses at that location and would recommend refusal should this be proposed again by the applicant. This would potentially cause a conflict with bus users waiting by the stop. We would also point out that a dropped kerb at this location would be in contention with the Residential Dropped Kerb Policy which states: “The position of the proposed access must be at least 10 metres away from a road junction that is on the left or right.” The junction with Egg Farm Lane is less than the required 10m distance.

With this now removed from amended plans, we would not have any reasons for refusal on the application from what has been submitted since

The site lies adjacent to Station Road (highway maintainable at public expense) and Egg Farm Lane (private road). This means that with any vehicular access proposals on Egg Farm Lane we can’t control but naturally we recommend any proposals are built in line with our design standards to ensure continuity on the road network”.

5 Neighbour consultation

5.1 **Site notice:** Not required.

5.2 **Press notice:** Not required.

5.2.1 No. consulted: 5.

5.2.2 No. of responses: 13 objections.

5.2.3 Summary of responses:

- Overdevelopment
- Prominent
- Attempt to seek social housing.
- Inadequate parking
- Unsafe
- Change the character of the area.
- The infrastructure does not work 8 people moving in.
- Imposing on neighbours.
- Multi-occupancy is at odds with the community.
- Second HMO on Station Road, concerns to the vulnerability of existing residents
- Property and location not suitable for the house to be converted into HMO.
- Loss of privacy for neighbours.
- Intensification of use and impact of noise and larger rubbish collections.
- Insufficient living and outdoor space.
- Fears of anti-social behaviour.
- Issues at Shannon House (HMO).
- The application contravenes TRDC amenity standards for HMO.
- Plans across different planning applications are contradictory.

5.2.4 **Officer comment:** This application does not seek to change the use to a House of Multiple Occupation. This application is assessed as extensions to the dwelling and falls within the scope of a householder planning application.

6 Legislation and Relevant Local and National Planning Polices

6.1 Legislation

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

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

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

6.1.4 The Environment Act 2021.

6.2 National Planning Policy Framework and National Planning Practice Guidance

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

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

6.3 Three Rivers Local Development Plan

6.3.1 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.

6.3.2 The Development Management Policies Local Development Document (LDD) 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, DM9, DM13, Appendix 2, and Appendix 5.

6.3.3 TRDC has published a Decision Statement in respect of the Abbots Langley Neighbourhood Plan 202-2041 (March 2026 version) and on the basis that it is now proceeding to referendum in May 2026, in accordance with PPG Significant Weight can be given to the plan in Decision Making. Relevant Policy includes Policy AL4.

6.4 Other

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

7 Analysis

7.1 Overview

7.1.1 This planning application follows several approved and withdrawn applications. It is important to consider that a lawful development certificate for the loft conversion, including rear dormer; single-storey rear extension; demolition of existing garage and construction of replacement garage; solar panels and heat pump has been permitted under LPA reference 25/1960/CLPD.

7.1.2 The only difference between 25/1960/CLPD and this application is the addition of the proposed part single, part two storey side extension. Therefore, the principle of a loft conversion including rear dormer; single-storey rear extension; demolition of existing garage and construction of replacement garage; solar panels and heat pump can be given material weight within the assessment of this application because they have previously found to be permitted development, for which express

planning permission is not required. It is important to note that these elements can be lawfully implemented at the site. Therefore, the key part of this application is the assessment of the part single, part two-storey side extension.

7.1.3 When considering the use of the building, it is important to note that the existing building could lawfully be occupied as a small House of Multiple Occupation (Use Class C4) for a maximum of 6 occupants. This has been confirmed via certificate of lawfulness application reference 26/0029/CLPD. Furthermore, it would be possible to extend the dwelling under permitted development and change its use to a HMO for a maximum of 6 occupants, without requiring express planning permission. Notwithstanding this, this planning application does not seek to change the use to an HMO and is to be assessed as a householder planning application, with extensions proposed to the existing dwelling.

7.2 Impact on the character and appearance of the street scene and locality

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, single-storey rear extensions to semi-detached dwellings should generally have a maximum depth of 3.6m. The Design Criteria states this distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent. Single-storey side extension's proximity to the flank boundary will be individually assessed. Appendix 2 also sets out that the first-floor element of a two-storey side extension should be located 1.2m from the boundary, although this distance can be reduced to 1m in higher density areas. Appendix 2 additionally guides that dormer windows should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either of the roof and set back from the plane of the front and rear wall. The roof form should respect the character of the house if possible.

7.2.4 Policy AL4 of the Abbots Langley Neighbourhood Plan advises that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings.

7.2.5 The proposed development would involve the erection of a part-single, part-two storey side extension which would be visible from the wider streets of Station Road, Egg Farm Lane and parts of Roman Gardens. The single-storey element would be located up to the boundary line. Despite this, it would be set back from the front elevation and would be flush with the rear wall. Added to this, it would have an appropriate roof form and overall be of a low profile. Turning to the two-storey element, this would be set in from the boundary line by 1.2m. This would comply with the guidance within Appendix 2, indicating that 1.2m from the boundary would generally be an acceptable separation distance. Added to this, there is no southern neighbour and as a result there would be a terracing effect. Furthermore, the two-storey side extension would be set back from the front and rear walls. It would also be set down from the existing ridge line by 0.3 m. These factors would help to reduce its prominence, bulk and massing as well as add a degree of subordination to the development. Some of the impact of the side extension would also be mitigated by the added separation and boundary hedging, which is located along Egg Farm Lane, falling outside of the application site, providing a further 2m (approx.) width between the boundary line and the edge of Egg Farm Lane. It is also noted that the wider street is highly characterised with different types of development, including varying house types of different scales, styles and designs. Many of the nearby dwellings have also been extended and altered. When considering these circumstances, the scale and position of the side extension, it would be appropriate and could be facilitated within the plot, without resulting in overdevelopment or a cramped appearance.

- 7.2.6 The proposed single-storey rear element of the proposal would extend to a depth of 3m, which would comply with the guidance in Appendix 2 where 3.6m beyond the rear wall of semi-detached dwellings is generally considered acceptable. This part of the extension would also not be readily visible from the wider street and when viewed from the rear would appear subservient against the backdrop of the existing dwelling. Many of the nearby dwellings have also been extended and altered, including adjoining neighbour No.64, which benefits from a single-storey rear extension of a similar scale to the proposed within this application.
- 7.2.7 In terms of design, the two-storey side extension would have a gable roof, which would be in keeping with the existing dwelling. While the single-storey elements of the proposal would have flat roof, these are low profile and broadly in-keeping with the wider area which is highly varied. The development would also be finished in materials to match the existing dwelling, which would help to reduce its overall prominence and appearance. Due to this, and for the reasons set out, the proposed extensions would not unacceptably erode the character of the dwelling or wider area. It would also not overwhelm the host dwelling and would not be out of character or unduly prominent when viewed in the context of the host dwelling or wider street.
- 7.2.8 The rear dormer would be large and occupy most of the existing rear roof slope and as such would not be subordinate and would conflict with Policy DM1 and Appendix 2. Despite this, it is important to consider that a dormer of this scale is being implemented and lawful at the dwelling via “permitted development” (25/1960/CLPD). Whilst the conflict between Policy DM1 and Appendix 2 is noted, the lawful development which could be implemented carries material weight in the assessment of the application. Added to this, the proposed two-storey side extension would help to draw the eye away from the rear dormer and partly screen some of the views of it from Egg Farm Lane and Station Road. This would help to mitigate some of the impact of the rear dormer. For these reasons, the conflict would not be a justification to refuse this application.
- 7.2.9 The proposed detached garage would be of an appropriate size, scale, design, and siting for the site plot. It is also recognised that there are various outbuildings of differing scales across the vicinity, such that the proposal would not be out of character in this regard. Turning to its use, it is proposed to be used as a garage. This would be an appropriate use to serve the dwelling. To ensure that the garage remains ancillary or incidental to the use of the dwelling, a condition could be added to secure its use for the principal use of parking vehicles in connection with the use of the application dwelling. This would be reasonable and necessary to ensure that the site use is not intensified or overwhelmed.
- 7.2.10 The proposal solar panels would be visible from the wider street and would be contained within the front roof slope. Although visible, these could be lawfully implemented via permitted development. Added to this, in the context of the wider street, which is highly varied, they are considered acceptable and would not demonstrably erode the character and appearance of the dwelling or wider area.
- 7.2.11 The heat pump would be small in scale and not readily visible from the wider street. It would appear as a subordinate feature when read in context with the host dwelling.
- 7.2.12 In summary, the proposed development would not result in harm to the character and appearance of the existing dwelling and wider street scene. The development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD and policy AL4 Design of Development of the Abbots Langley neighbourhood plan.
- 7.3 Impact on 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 When considering the impact of the extensions on the adjoining neighbour No.64, it is important to consider the existing site circumstances where this neighbour benefits from a single-storey rear extension. The proposed rear element of the proposal would be of a similar scale to this neighbour, and as such, it would not amount to harm. Added to this, due to the positioning of the proposed side extensions, which would be screened by the existing dwelling, it would not amount to any adverse harm by way of intrusion, loss of light, nor would it be overbearing on the adjoining neighbour, no.64. When considering the garage, dormer and air source heat pump, these elements could lawfully be implemented at the site which is a material assessment of this application. These elements would present no greater harm on this neighbour than the lawful elements.
- 7.3.4 When considering the impact on rear neighbour No.62A, it is considered that the development would be appropriately contained and sufficiently separated from this neighbour, also noting that they are orientated at an angle to the host dwelling, and as such would not arise in adverse harm.
- 7.3.5 When considering the impact of the proposed development on No.58, it would not amount to any adverse harm by way of intrusion, loss of light, nor would it be overbearing on the adjacent neighbour due to the highway separation of Egg Farm Lane, along with the positioning of this dwelling relative to the proposed development.
- 7.3.6 With regard to privacy, the doors and windows would have a primary outlook over the private amenity spaces of the application site and are not considered to arise in any harmful loss of privacy or overlooking to any neighbour. It is recognised that the windows in the dormer would provide views at an elevated height that do not exist. However, in this case, this could lawfully be implemented without the need for express planning permission. Added to this, any views would be at an oblique angle rather than any direct overlooking or loss of privacy to neighbour's habitable spaces.
- 7.3.7 In summary, the proposed development is not considered to result in adverse impact upon No.306 Toms Lane or any other neighbour and would accord with Policy C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.4 Highways and parking provision

- 7.4.1 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. The pre-existing three bedroom house should, in accordance with the Appendix 5 parking standards, have 2.25 parking spaces (2 assigned). As noted above, due to the lack of dropped kerb the existing has one parking space to the rear, and therefore a shortfall of one.
- 7.4.2 During the application, amended plans were received which omitted the proposed front parking spaces. The front parking spaces would not be accessible, given the lack of a dropped kerb and the conflict with the bus stop located along the Highway. Resultantly, the proposal would rely on 1 off-street parking space to the rear (within the garage). The submitted plans show the extended dwelling would have four bedrooms, and Appendix 5 states that 3 off-street parking spaces should be provided. There would therefore be a shortfall of 2 spaces. The application site falls within a controlled parking zone which would prevent ad-hoc on-street parking during the hours of operation. Added to this, the site is within a sustainable location offering alternative transport modes including buses and trains.
- 7.4.3 It is also important to consider that extensions to the dwelling could lawfully be carried out via certificate application 25/1960/CLPD which would result in 5 bedrooms and a reliance on 1 parking space. Additionally, the dwelling could lawfully become an HMO for up to 6 occupants via certificate application 26/0069/CLPD, with the reliance on 1 parking space. These factors form a material consideration in the assessment of parking provision in this application. The overall shortfall of car parking on the site is acknowledged, however Officers do not consider, given the specific site circumstances, the fall-back position of the amount of development already confirms to be lawful,

and the presence of a controlled parking zone restricting parking on-street, that this would result in demonstrable harm.

7.4.4 A Highway Officer was also consulted during this application and did not raise an objection in relation to the highway access as shown within the amended plans.

7.4.5 When considering these reasons combined, the shortfall of 2 parking spaces would not be sufficient to justify refusal. Notwithstanding this, to ensure that 1 parking space is retained, it would be reasonable and necessary to secure the use of the garage for use by motor vehicles (e.g. cars) only by condition.

7.5 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 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 Wildlife considerations

7.6.1 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.

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

7.7 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 indicative amenity space for a 4-bedroom dwelling in Appendix 2 is 105 sqm. The submitted site area plans indicate that there would be an amenity space of some 95 sqm across the front and rear gardens, following implementation of the development. Whilst this is noted, it is considered the likely usable amenity space would be more akin to some 33 sqm and confined to the rear garden area rather than the frontage. This would be a noticeable shortfall in amenity space and would not comply with the guidance. Whilst this is not favoured, it is important to consider the site context and the availability of other publicly accessible outdoor spaces such as Primrose Hill playing field (0.5 miles). The application site is also located within a sustainable location where there are alternative transport modes, including buses and trains, which could facilitate access to alternative amenity

spaces. Furthermore, it is acknowledged that the majority of the footprint of the proposed extensions has already been found to be lawful. The side extension shown on the submitted plans does not benefit from a lawful development certificate, and it is acknowledged that should this element not be built, there would be more garden space available between the side wall of the house and the side boundary. However, on balance and given that some outdoor space would be provided, and the proximity to other outdoor spaces, the shortfall in amenity space would not be justification for refusal of this application. Notwithstanding this, to secure the remaining amenity space available, it would be reasonable and necessary to remove “permitted development rights” for outbuildings under Schedule 2, Part 1, Class E of the GDPO.

7.8 Trees and landscape

7.8.1 No protected trees would be affected as a result of the proposed development.

8 **Recommendation**

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

C1 **Time:** 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 **Plans:** The development hereby permitted shall be carried out in accordance with the following approved plans: 000-EP; 002-GA; 020A-EE; 020B-EE; 020D-EE; 020E-EE; 020G-EE; 999-SP; PP-14653554v1 (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) and Policies DM1, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and policy AL4 Design of Development of the Abbots Langley neighbourhood plan.

C3 **Materials:** 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 **Garage Use:** The rear outbuilding (garage) hereby permitted (as shown on drawing numbers 999-SP and 020G-EE) shall be used for no other purpose other than housing cars/vans used in connection with the use of 62 Station Road. No alterations, either externally or internally shall be carried out to the rear outbuilding (garage) such as to prevent its use for garaging cars/vans.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 in the Development Management Policies document (adopted July 2013)

C5 **Permitted Development:** 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.

Class E - provision of any building or enclosure

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

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

8.2 Informatives

11 **Standard Advice:** 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. 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 **Construction Hours:** 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 **Approval, amendments:** 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 **BNG:** 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>.