

## PLANNING COMMITTEE – Thursday 16 July 2026

**26/0639/RSP – Part retrospective: Construction of single storey side extension to create a garage, and installation of solar panels at 38 BEDFORD ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE, HA6 2AZ.**

Parish: Batchworth Community Council  
Expiry of Statutory Period: 22.06.2026

Ward: Moor Park and Eastbury  
Case Officer: Lauren Edwards

Recommendation: That Part Retrospective Planning Permission be GRANTED subject to conditions.

Reason for consideration by the Committee: A member of the planning committee lives within the neighbour consultation area.

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

[26/0639/RSP - Retrospective: Construction of single storey side extension to create a garage, and installation of solar panels at 38 BEDFORD ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE, HA6 2AZ.](#)

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

- 1.1 26/0027/COMP - Erection of unauthorised extension/outbuilding and gates. Pending consideration, subject to the outcome of this application. Extension requires planning permission.
- 1.2 14/0766/FUL - Part demolition of existing dwelling, two storey side and rear extension, single storey side extension, single storey front extension with canopy to front alterations to roof including increase in ridge height and alterations to fenestration – Permitted.
- 1.3 15/0570/RSP - Part Retrospective: Single storey front extension and porch – Permitted.
- 1.4 22/2281/CLPD - Certificate of Lawfulness Proposed Development: Installation of solar panels – Permitted.
- 1.5 8/736/76 – Single storey extension – Permitted.

### **2 Description of Application Site**

- 2.1 The application site is roughly rectangular in shape and is located on the western side of Bedford Road, Moor Park.
- 2.2 The application dwelling is a two storey detached dwelling built of facing brickwork. To the front of the site is a block paved driveway and to the rear is a patio with steps up to the remainder of the garden which is mostly laid as lawn.
- 2.3 The neighbour at No.40 is a two storey detached dwelling with catslide roof features. This neighbour has a single storey rear projection.
- 2.4 The neighbour at No.36a is a two storey detached dwelling which is angled towards the application site.
- 2.5 The site falls within the Moor Park Conservation Area.

### **3 Description of Proposed Development**

- 3.1 This application seeks part retrospective planning permission for the construction of a single storey side extension to create a garage, and the installation of solar panels.
- 3.2 The single storey extension has been built and has a width of 3.8m beyond the southern flank and a depth of 6.7m. It is sited 4.4m back from the most recessed front wall. It has a flat roof with parapet walls and a maximum height of 2.8m. The extension serves as a garage.
- 3.3 Solar panels are proposed to be positioned on its roof which project 0.3m above the flat roof section.
- 3.4 This application has been received following enforcement discussions in pursuance to 26/0027/COMP.

#### **4 Statutory Consultation**

4.1 National Grid: No response received.

4.2 Batchworth Community Council: [No objection]

*BCC discussed and noted this application.*

4.3 Conservation Officer: [No objection]

The Conservation Officer has verbally advised they have no objections to the development.

4.4 Moor Park 1958 Ltd: [Objection]

*The Directors of Moor Park (1958) Limited note that this is a further Retrospective Application at 38 Bedford Road.*

*The property is a pre-1958 dwelling which has been subject to extension and alteration works previously.*

*The building prior to the works the subject of this application being carried out complied with Policy 3.4 of the Moor Park Conservation Area Appraisal in that it did not have a built frontage of more than 80% of the frontage. However, the side extension which has been carried out is in contravention of Policy 3.4 in that it results in a built frontage of approximately 90%. It also breaches Policy 3.4 in that the flank wall of the garage is less than half a metre away from the boundary, whereas Policy 3.4 states that such a wall should be clear of the boundary by at least 1.5 metres.*

*Policy 3.6 (Roofs) states 'Flat roofs or flat sections to a pitched roof reflect a form not in keeping with the traditional design of houses in Moor Park and are therefore unacceptable'. It is appreciated that the solid front gates situated between the boundary and the side of the house obscure a substantial part of the building when viewed from Bedford Road, but the flat roof and the solar panels situated on top of the flat roof are visible.*

*It is also noted that vehicular access to the garage will be very difficult due to the gates being situated in such a position as to create a need to turn to the south immediately on passing through them to avoid the previous flank extension and the bay window in that flank extension and then have to enter the garage at an angle.*

#### **4.5 Public/Neighbour Consultation**

4.5.1 Neighbours consulted: 8

4.5.2 Responses received: 0

4.5.3 Site Notice: Expired 30.05.2026

4.5.4 Press Notice: Expired 06.06.2026

## **5 Reason for Delay**

5.1 Committee cycle.

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

### **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 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.

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

6.1.4 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.

6.1.5 The Environment Act 2021.

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

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

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. 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.

### **6.3 The Three Rivers Local 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, DM8, DM13 and Appendices 2 and 5.

The Batchworth Neighbourhood Plan 2023-2038 (Referendum Version January 2025). Relevant policies include: Policy BW GB1 and BW DE1

#### 6.4 Other

Moor Park Conservation Area Appraisal 2006.

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

### **7 Planning Analysis**

#### 7.1 Impact on the character and appearance of the host dwelling and the locality including the heritage asset

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area. Policy DM3 requires development to preserve or enhance the character and appearance of the Conservation Area.
- 7.1.2 Policy BW DE1 sets out that new development in the Batchworth Neighbourhood Plan area shall be based upon a design-led approach to development underpinned by good practice principles and reflecting a thorough site appraisal. Respond positively to guidance and principles established in the Batchworth Neighbourhood Design Code, including but not limited to prevailing building heights, materials, development frontages, plot widths, boundary treatments and street enclosure. Proposals that depart from this will need fully justifying. This policy also sets out that new development in the plan area shall demonstrate how schemes respond to local character and, wherever possible, contribute towards improvements to character, as indicated in the Batchworth Neighbourhood Design Code
- 7.1.3 The Moor Park Conservation Area Appraisal (2006) provides supplementary planning guidance and is a material planning consideration in the assessment of applications within the Moor Park Conservation Area.
- 7.1.4 The application dwelling is a pre-1958 dwelling however it has been previously extended and partially demolished through historic planning permissions. The dwelling appears as a more modern addition to the Moor Park Conservation Area and in turn has a neutral contribution towards its character.
- 7.1.5 Appendix 2 of the DMP LDD outlines that single storey side extensions will be assessed on their own merits in relation to their proximity to the boundary. The single storey side extension is only set in 0.4m from the boundary. However, it is set back from the front elevation (over 9m from the front porch elevation and 4.4m from the recessed section) and does not extend as deep as the main dwelling. The visibility of the extension is also reduced by the existing gates which sit to the side of the dwelling (which are lawful). The extension in situ has a flat roof which is generally resisted in the Conservation Area however it serves a relatively modern property and its visibility is limited. Overall, the extension appears as a

subservient addition to the host dwelling. As such, given its scale and siting the extension preserves the character of the dwelling.

7.1.6 It is necessary to consider whether the proposals comply with the planning guidance for Moor Park as set out in the Conservation Area Appraisal (Oct 2006). Key aspects of the Moor Park guidance in relation to this application are the percentage of plot coverage in area, plot width coverage and distance to the boundaries. The Moor Park Conservation Area Appraisal sets the following guidance:

- Maximum building line width of 80% at the front building line
- Buildings should not cover more than 15% of the plot area.
- 1.5m being kept clear between flank walls and plot boundaries

7.1.7 As a result of the garage extension the dwelling occupies a plot width coverage of approximately 87.5% with a plot coverage of approximately 13.8%. Additionally, the extension is sited less than 1.5m from the boundary. In a previous appeal decision (No.90 Wolsey Road- APP/P1940/D/19/3232826) the Inspector noted that many properties are close to one or more boundaries, particularly at ground floor level with garages. Whilst this appeal decision relates to another property on another road, there are some similarities between the properties. Nevertheless, overall owing to its single storey flat roof nature and subordinate appearance, it is not considered that the development undermines the open character of the Conservation Area to a detrimental degree, which is the purpose of the guidance.

7.1.8 The proposed solar panels may be visible from some vantage points however would not be excessive in number nor would they extend significantly above the flat roof such that they would appear unduly prominent.

7.1.9 In summary, the development would preserve the character and appearance of the host dwelling and maintain its contribution to the Moor Park Conservation Area. As such it would not lead to less than substantial harm to the designated heritage asset. The development would therefore accord with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD), Policies BW CC1 and BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Referendum Version January 2025). the Moor Park Conservation Area Appraisal (2006) and the NPPF (2024).

## 7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

7.2.2 The development in situ is not readily visible to No.36a. Whilst it is only sited 0.4m from the boundary it only extends 2m beyond the rear of No.40 neighbour and as a modest overall height/roof form. Overall, it does not result in any unacceptable harm to this neighbour by reason of an overbearing impact or loss of light. The proposed solar panels would not project significantly above the flat roof and would be sited centrally. As such would not result in any harm to neighbouring amenity.

7.2.3 The development is therefore acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

## 7.3 Highways & Parking

- 7.3.1 Core Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD. The proposed development would not impact the parking provision of the site.
- 7.3.2 The single storey side extension provides a garage. It was observed on site that it comfortably accommodates a car. The comments of Moor Park 1958 Ltd are noted however there was a car parking in the garage and space in front (behind the gates) for another car.
- 7.4 Rear Garden Amenity Space
- 7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.
- 7.4.2 The single storey side garage extension has not resulted in the creation of any additional bedroom or loss of useable amenity space.
- 7.5 Trees & Landscape
- 7.5.1 Policy DM6 of the Development Management Policies 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. The proposed development would not involve the removal of any trees or lie in close proximity to trees.
- 7.5.2 The application site is located within the Moor Park Conservation Area and as such all trees are protected. The garage has been constructed on pre-existing hardsurfacing. The garage is also not adjacent to any significant trees that would have been adversely impacted by the development.
- 7.6 Biodiversity
- 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 Biodiversity protection and protected species are a material planning consideration during the application process of this application. This is in accordance with Policy CP9 of the Core strategy in addition to Policy DM6 of the Development Management Policies Local Development Document. Local Authorities, in line with National Planning Policy, are required to ensure that a protected species survey is completed for applications whereby biodiversity may be affected prior to the determination of the application.
- 7.6.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment.
- 7.7 Mandatory Biodiversity Net Gain
- 7.7.1 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 as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

- 7.7.2 In this case, 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 and the development is retrospective.

## **8 Recommendation**

- 8.1 That Part Retrospective planning permission is GRANTED subject to the following conditions:

- C1 Those parts of the development which have not commenced shall be begun before the expiration of three years of 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 solar panels shall not be installed other than in accordance with the positioning and details shown on plan SHT No.2 amended 27.04.2026.

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the character and appearance of the Moor Park Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM8 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 (Referendum Version January 2025), the Moor Park Conservation Area Appraisal (October 2006) and the NPPF (2024).

### **Informatives**

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this ([cil@threeivers.gov.uk](mailto:cil@threeivers.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 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

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

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

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

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

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

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

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

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

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

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

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

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