

PLANNING COMMITTEE – Thursday 20 August 2026

26/0645/FUL - Demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration at 75 NIGHTINGALE ROAD, RICKMANSWORTH, HERTFORDSHIRE, WD3 7BU

Parish: Batchworth Community Council
Expiry of Statutory Period: 07.07.2026 (EOT
21.08.2026)

Ward: Rickmansworth Town
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE APPROVED.

Reason for consideration by the Committee: The application has been called in by Batchworth Community Council to discuss the impact on character and appearance and residential amenity.

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

[26/0645/FUL | Demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration | 75 Nightingale Road Rickmansworth Hertfordshire WD3 7BU](#)

1 Relevant Planning and Enforcement History

- 1.1 W/1066/68 – Double Garage – Permitted.
- 1.2 W/137/68/D13142 - PABX Extension – Permitted and Implemented.
- 1.3 W/638/72 - Convert existing garage into bedroom, bathroom. playroom into sitting room – Permitted.
- 1.4 8/63/79 – Study – Permitted and Implemented.

2 Description of Application Site

- 2.1 The application site contains a two-storey detached dwelling on Nightingale Road, Rickmansworth. The application site is located within the Upper Nightingale Road Conservation Area.
- 2.2 The application dwelling has a dark tiled hipped roof with an exterior finish consisting of a red brick finish. The dwelling has been previously extended to the side at both ground and first floor level. Aside from the aforementioned extensions the dwelling has a principle front gable projection and a flat roof single storey rear projection.
- 2.3 The wider context of Nightingale Road consists of a number of detached dwellings of varying architectural styles and designs many of which appear to have been extended or altered.

3 Description of Proposed Development

- 3.1 The application seeks full planning permission for the demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side

extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration.

- 3.2 The existing two storey side extension, single storey rear extension and front porch are proposed to be demolished. The proposed two storey side extension replaces the existing albeit at a greater depth and height than existing. The side extension would be set back from the existing front bay projection by approximately 1m and would extend in line with the main rear building line. The extension has a total width of approximately 4.4m and a depth of approximately 10.3m. It would remain set off the flank boundary with No. 73 by a minimum of 1m, increasing to 1.1m towards the front elevation. The side extension has a Dutch hipped roof with a ridge height of approximately 9.7m, set down from the main ridge line by approximately 1.45m. To the rear, the extension has an eaves height of approximately 4.6m and to the front approximately 4m. The first floor of the proposed side extension would accommodate an annexe providing a bedroom, bathroom, living and kitchen area. The annexe can be accessed via a door within the side wall of the extension, and an internal link has been added within the main dwelling at the first floor level.
- 3.3 Within the front elevation of the proposed side extension a garage door is proposed at ground floor level, a projecting brick band course is proposed above the garage door to match the existing. A pitched roof dormer is proposed at the first-floor level with a ridge height of approximately 2.7m. The dormer has a depth of approximately 2.8m and a width of approximately 2.6m. A two-casement window is proposed within the front elevation of this dormer and tile hanging detail is proposed within the apex of the dormer. One rooflight is proposed within the front roofslope of the proposed side extension. Fenestrations are proposed within the side elevation facing No. 73 at ground and first floor level, three rooflights are proposed within the main flank roofslope and flank roofslope of the proposed extension facing this neighbour. The first-floor flank windows are proposed to be obscure glazed with clear glazed fanlight set at minimum 1.7m above the finished floor level. Within the rear elevation a set of patio doors with sidelights are proposed at the ground floor and a hipped roof dormer is proposed at the first floor. The rear dormer has a ridge height of approximately 1.7m, a depth of approximately 2m and a width of approximately 2.2m. One two-casement window is proposed within the rear elevation of this dormer. Three rooflights are proposed within the rear roofslope of the side extension. The extension would be finished in facing brick and where possible from reclaimed original bricks from the demolition.
- 3.4 A single storey rear extension is also proposed; this element has a depth of approximately 4m and a width of approximately 8.7m and would not project beyond the flanks of the original dwelling. This element would have a flat parapet roof form with a ridge height of 4m. Fenestrations are proposed within the rear and flank of this element and one rooflight is proposed within the flat roofslope.
- 3.5 A second floor Juliet dormer is proposed within the rear roofslope of the main dwelling. This dormer would have a hipped roof and would be set in from all planes of the roofslope. The dormer would have a depth of approximately 4m, a width of approximately 2.7m and a ridge height of approximately 3.6m. A set of doors and railings are proposed serving the Juliet balcony.
- 3.6 Two rooflights are proposed within the roof of the existing single storey side projection adjacent to The Grange. The existing flank windows would be closed up and one new window is proposed to replace the existing window within the front elevation of this projection.
- 3.7 One porthole window is proposed within the apex of the existing front gable.
- 3.8 A new first floor window is proposed within the side elevation facing The Grange and two rooflights are proposed within the flank roofslope on this side of the dwelling.

- 3.9 Ridge detailing is proposed on the ridge of the proposed side extension and the proposed front and rear dormers.
- 3.10 The proposal also includes the replacement of the existing windows with timber windows including Georgian bar fanlight detail.
- 3.11 The existing porch would be removed and the glazing replaced with original stained-glass panels.
- 3.12 All rooflights would be conservation style rooflights.
- 3.13 The proposal also includes an area of decking to the rear of the dwelling extending in line with the flank wall of the single storey rear extension and flank wall of the side extension. The decking would project beyond the rear building line of the proposed extension by approximately 1.2m and would be set at the height of the natural ground level.
- 3.14 In summary the changes following receipt of amended plans are as follows:
- Reduction in width of side extension of approximately 0.1m.
 - Reduced height of side extension by 0.6m (from 10.3m to 9.7m), the proposed extension would be set down 1.45m from the main ridge.
 - Reduction in number of rooflights to front roofslope (one proposed).
 - Reduced scale of first floor front dormer.
 - Eaves height of extension lowered.
 - Door in existing single storey side projection omitted and replaced by a window.
 - Introduction of 3 x rooflights in the main flank roofslope and flank roofslope of extension facing No. 73.
 - 1 x additional first floor window in the side elevation facing No.73.
 - Omission of second floor rear dormer and replacement with 3 x rooflights in roofslope of extension.
 - Reduction in scale of first floor rear dormer.
 - 1 x additional rooflight in flank roofslope of main dwelling facing The Grange.
 - Reduction in scale of second floor Juliet dormer in main rear roofslope of dwelling, and amendment its roof form from a gable roof to a hipped roof.
 - Internal link added from main dwelling to side extension at first floor level.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid – [No response received]

4.1.2 Batchworth Community Council - BCC Strongly object to this application for the following reasons:

- Scale of the large roof is overbearing. This is contrary to policy CP12, the scale and form does not preserve or enhance the character and appearance of the area and street scene.
- This is contrary to the Batchworth Community Council Neighbourhood Plan's key objectives regarding design. It also fails to retain the quality of the conservation area.
- The auxiliary accommodation created could easily be used as a separate dwelling as there is no interior access from the main dwelling but only external access.
- BCC is concerned over the movement of plant and materials to the rear of the property, due to the narrow side access.

- BCC is concerned about the potential overlooking from the rear dormer and Juliet balcony which will severely impact the amenity space of number 73, who have made objections to this application.
- BCC supports all the objections made by number 73.

BCC requests this application is called into committee unless officers are minded to refuse.

4.1.3 Conservation Officer – [19 June 2026, Objection]

The application is for Demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration.

The site is in the Upper Nightingale Road Conservation Area which forms a group of adjoining Conservation Areas at Nightingale Road and Cedars Avenue, which has a Conservation Area Appraisal (CAA) adopted in 2007. The area was developed during the later nineteenth and early twentieth century in a Metroland architectural style.

No 75 is a detached property and is built in a similar form to the adjacent neighbour at No. 73. No. 75 is an attractive property with typical Arts and Crafts features. It has a large two storey side extension, which is highlighted in the CAA as an inappropriate addition, although despite its width it is built in similar materials and is subordinate to the main house. No. 75 also has a modern porch extension and two storey rear extension with a flat roof. All these additions detract from the character of the property, but its original character is still clear and overall, it makes a positive contribution to the character of the Conservation Area, particularly from the front elevation.

The loss of these later additions, i.e. the two-storey side extension, porch and rear extensions is acceptable in principle and extensions to replace them are acceptable in principle.

However, there are concerns in relation to the proposal:

The two-storey extension would subsume much of the existing/original front elevation as it would be of a similar width to the existing extension with a taller ridge height. The front dormer, while appropriate in style, is large and would exacerbate the sense of bulk in comparison to the original dwelling and the neighbour at No. 73. The open gap adjacent to No. 73 has already been reduced with the existing two storey extension and the proposal would further impact this due to the additional height.

There are a large number of rooflights proposed which would be harmful to the original character and street scene.

The second-floor dormer is excessive in scale, and the balcony is not appropriate in terms of character. The first-floor flat roofed dormer is inappropriate in form and would result in a cluttered appearance as it is directly below another proposed dormer. It is noted that there is an existing flat roof in this location, but it is still a poor-quality feature that would not preserve character of the property.

In addition, the proposal would include a side door adjacent to the garage which would separately access an area separated from the main house, giving the appearance and character of a separate property which would not be in keeping with the existing character. Also, the side element on the right side would also include a front door and although this is not easily visible in the street scene, would create the character of an additional front door, which would again erode the sense of character as a single-family dwelling.

The proposal will result in the loss of an existing chimney and although it is not in an ornate form like other chimneys on the street, it is still a feature that contributes to the character of the Conservation Area.

There are some positive elements to the scheme including improvements to the windows and front porch but at present these are not considered to outweigh the heritage harm.

Regarding Section 72 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal does not preserve the character of the Conservation Area. The National Planning Policy Framework para 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The level of harm would be less than substantial as per para 215.

4.1.4 Landscape Officer – The Landscape Officer was informally consulted on the application and has advised that the submitted tree protection method statement and plan are sufficient. A condition should be applied that requires the method statement to be followed during construction.

4.1.5 Hertfordshire Ecology – [No response received]

4.2 Reconsultation

4.2.1.1 Amended plans were requested and received during the course of the application reducing the scale of the development. A reconsultation was issued on the amended plans.

4.2.2 National Grid – [No response received]

4.2.3 Batchworth Community Council – [21 July 2026, Objection]

BCC objects to the following plans as outlined in comments made on June 9th.

We concur with the comments made by the residents of number 73.

Despite some alterations following comments made by the conservation officer we still have strong objections in particular:

- The additional height of the two-story extension adjacent to number 73 whilst in similar width to the existing extension now has a much taller ridge height which negatively impacts the gap between the adjacent property.
- The plans still show a side door to the garage giving separate access and the character of a separate property which is not in keeping with the street scene. This could indicate the possibility of a separate dwelling in the future.
- The rear dormer balcony is not acceptable for property within the conservation area.

BCC would like to call this into committee unless officers are minded to refuse.

4.2.4 Conservation Officer – [17 July 2026, Objection]

The application is for demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration.

This follows a first consultation response dated 19th June 2026. In the first response, concerns were highlighted about several elements of the proposal including the scale of the two-storey side extension and various other details of the proposal.

The revised proposal has made several improvements including reduction in scale of the side extension and in the scale of the dormers and reduction in the number of rooflights.

The two-storey side extension would still be relatively large, but to some extent would be an improvement on the existing poorly designed two storey side extension.

A major remaining concern is the number of proposed rooflights. These are not in keeping with the traditional character of the building and do not preserve its traditional character. Although the proposed number has been reduced, there would still be a total of nine rooflights. Several of these are on more prominent front or side roofslopes. A small number of discreetly located rooflights may be acceptable. However, this number in prominent locations would be harmful to the character of the Conservation Area and may be indicative of excessive upper floor accommodation.

In addition, the proposed dormers would all appear either excessive in scale or in the case of the smaller rear dormer poorly proportioned.

There are several enhancements associated with the scheme which were discussed in the first consultation response. However, while these are acknowledged as heritage benefits, they would not overcome the harm associated with the concerns raised above and in addition, the enhancements are not dependant specifically on the works to the roof, i.e. the rooflights and the dormers.

Regarding Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal does not preserve the character of the Conservation Area. The National Planning Policy Framework para 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The level of harm would be less than substantial as per para 215.

4.2.5 Hertfordshire Ecology – [No response received]

4.3 Public/Neighbour Consultation

4.3.1 Number consulted: 41 No of responses received: 1 [1 Objection Received]

4.3.2 Site Notice Posted: 18/05/2026, Expired: 09/06/2026

4.3.3 Press Notice Published: 22/05/2026, Expired: 13/06/2026

Summary of Responses:

Heritage Impact and Harm to Conservation Area

- Not subordinate – harm to character, roofscape and spatial qualities of Conservation Area.
- Substantially larger roof form and more visually assertive structure.
- Materially alter existing architectural balance between original and extension, diminishing visual dominance of the original Victorian structure and creating a competing built form.
- Removal of chimney – erosion of historic roofscape.
- Spacing important aspect of Conservation Area – proposal reduces openness and disrupts established rhythm.
- Cumulative impact harm character and appearance of the Conservation Area.

Scale, Massing and Residential Amenity Impact

- Enlarged roof, side clipped gable and reduced spacing would create overbearing and intrusive form of development when viewed from No 73.
- Materially wider, taller and more visually prominent.
- Dominant built edge. Overbearing and intrusive presence.
- Create a greater sense of enclosure.
- Materially reduced amount of natural light presently reaching parts of side access, patio, greenhouse and adjoining garden areas.
- Narrow separation gap does not in itself overcome substantially increased scale, roof mass and visual dominance of the proposed replacement structure.
- Request 1.2m to boundary along full length of first floor side elevation.

Privacy, Boundary Relationship and Overlooking

- Overlooking, privacy, separation distances and adequacy of the proposed boundary relationship.
- Loss of privacy from rear facing windows including attic bedrooms.
- Habitable rooms would increase overlooking into garden.
- Juliet balcony increases perceived and reality of overlooking.
- During winter screening is reduced and direct intervisibility between properties is much greater.
- No details on boundary treatment following demolition of existing side extension.
- Proposal relies in part on existing extension to support separation distance to the boundary.
- Request details of boundary treatment.

Ancillary Accommodation and Intensification of Use

- Degree of residential independence being created and potential for intensified occupation of the site.
- Proposed accommodation extends materially beyond what would ordinarily be regarded as purely incidental or ancillary to the main dwelling.
- Independent side access together with kitchen, living, sleeping and bathroom facilities.
- Layout raises concern regarding degree of residential independence being created and potential for occupation beyond what would normally be expected of ancillary accommodation.
- Condition to remain ancillary if granted.

Construction Management and Neighbour Amenity

- If granted, construction impacts should be controlled through appropriate conditions.
- Restriction on construction hours particularly in relation to demolition and other high noise activities.

5 Reconsultation

5.1.1 Number consulted: 41 No of responses received: 1 [1 Objection Received]

5.1.2 Summary of responses:

- Comments should be read alongside original representation.
- Welcome reduction in ridge height, retention of existing chimney, reduction in window sizes and increased separation to boundary.
- Amendments do not alter principal harm from extensions rearward projection and this element would still have an adverse effect on residential amenity of No. 73 by reason of its scale, massing and impact on Conservation Area.

Residential Amenity

- Still projects 3m further towards rear than existing and occupy land currently open.
- Door in flank forms principal route between kitchen and rear garden.
- Amenity not confined to principal living rooms or formal sitting out areas, also includes frequently used routes and spaces around the home.
- Rearward projection and increase in height would continue to create a greater sense of enclosure.

Privacy and overlooking

- Amended plans include a bedroom window, living room window and three rooflights.
- Plans do not specify whether rooflights would be clear or obscure glazed – concern that this could give rise to direct intervisibility with the clear upper pane of bathroom window and adjacent first floor landing at No. 73.
- Concerned with increased overlooking from rear elevation.

Character and Appearance of Conservation Area

- Remain concerned about scale of two storey side extension
- Rearward projection – openness between dwellings.
- Fail to preserve character of Conservation Area.

6 Reason for Delay

6.1 Committee cycle.

7 Relevant Planning Policy, Guidance and Legislation

7.1 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.

7.2 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 2023-2038 (Submission Version, November 2023). Relevant Policies include BW GB1, BW CC1 and BW DE1.

Other

Upper Nightingale Road Conservation Area Appraisal (2007).

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

8 Planning Analysis

8.1 Proposed Use

- 8.1.1 It is acknowledged that the first-floor level of the proposed side extension would serve as an annexe. Whilst this accommodation would include an external entrance, allowing it to be accessed independently of the main dwelling, an internal link at the first-floor level into the main dwelling has been introduced. There is also a proposed ground floor internal link. It is also worth noting that there is an existing bedroom/living area within the first floor of the existing side extension that has no first-floor link into the main dwelling and can currently be accessed independently of the dwelling's main entrance through an existing door adjacent to the garage door. Although the accommodation would have potential to function as a self-contained unit it would remain physically tied to the main dwelling, and an independent use is not what the application is proposing. Officers are satisfied that the development is intended to provide ancillary accommodation rather than the creation of a separate planning unit. In the event permission is granted, a condition would be imposed requiring the accommodation to remain ancillary to the main dwelling and preventing its occupation as a separate self-contained unit.

8.2 Design and Impact on the Street Scene

- 8.2.1 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'.
- 8.2.2 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.

- 8.2.3 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.
- 8.2.4 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. With regards to side extensions appendix 2 of the DMP LDD sets out that in order to prevent a terracing effect and maintain an appropriate spacing between properties in character with the locality, two storey side extensions may be positioned on the flank boundary provided that the first floor element is set in by a minimum of 1.2m. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In high density areas an absolute minimum of 1m will be considered. With regards to rear extensions, the design criteria sets out that 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.
- 8.2.5 Appendix 2 of the DMP LDD sets out that dormer windows 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. Multiple dormers should be proportionate in scale and number to the host roof.
- 8.2.6 Policy BW CC1 of the Batchworth Neighbourhood Plan sets out that the design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for water and energy efficiency, targeting zero carbon emissions. Encouragement is given to development that accords with Hertfordshire Building Futures Sustainable Design Toolkit. 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.
- 8.2.7 The proposed single storey rear extension has a depth of approximately 4m and would in part replace an existing single storey rear projection albeit the proposed is of a greater depth and width. The depth of the extension would comply with the design criteria at Appendix 2 of the DMP LDD. In terms of its scale and architectural design, it is considered that this element of the proposal remains modest in its scale and bulk and would not project beyond the flank walls of the original dwelling. With regards to its height, it would have a flat parapet roof which remains set down from the first-floor cill height and on balance would read as a subordinate addition to the host dwelling. The Conservation Officer has raised no objection to this element, and it is therefore considered that it would preserve the character of the Conservation Area.
- 8.2.8 The Conservation Officer notes that the existing two storey side extension is highlighted in the Conservation Area Appraisal as being an inappropriate addition, although notes that it remains subordinate to the main dwelling despite its width. The existing dwelling also benefits from a modern two storey rear flat roof extension and front porch projection all of which are noted to detract from the character of the dwelling. However, the Conservation Officer notes its original character is still clear overall and concludes that the existing dwelling makes a positive contribution to the character of the Conservation Area, particularly from its front elevation.

- 8.2.9 Thus, the principle of demolition of the modern additions (two storey side extension, porch and rear extensions) and their replacement is acceptable. The Conservation Officer initially raised concerns with that the scale of the proposed two storey side extension which would be of a similar width to the existing but at a greater height such that it would subsume the form of the dwelling. Further concerns were raised regarding the scale of the proposed dormers to the front and rear elevation of the extension and the rooflights. In response to the original objection of the Conservation Officer the proposal has been amended incorporating a reduction in width and height of the proposed side extension, a reduction in the scale of the first-floor dormers to the front and rear roofslopes, the omission of the second-floor rear dormer within the extension and a reduction to the number of rooflights on the front roofslope of the dwelling.
- 8.2.10 Whilst the spacing to the boundary with No. 73 falls short of the minimum spacing required by Appendix 2 of the DMP LDD, it is noted that the extension is set further from the boundary than the current position and would retain a minimum of 1m at both ground and first floor level. Despite the additional rearward projection of the proposed extension, it would remain set down from the ridge and incorporate a Dutch hipped roof, ensuring that it reads as a subordinate addition to the host dwelling. While the spacing falls short of the guidance above, it would nevertheless provide a greater degree of spacing than the existing situation. Notwithstanding the additional rearward projection, the proposal would not result in an unacceptable loss of openness between properties nor create a terracing effect. In reaching this conclusion, weight has been given to the position and form of the existing extension which is considered to be a material consideration when assessing the spacing to the shared boundary. As amended, the Conservation Officer has advised that while the side extension would still be a relatively large addition it would to some extent be an improvement on the existing poorly designed two storey side extension.
- 8.2.11 The Conservation Officer still raises concerns with the proposed dormers and their excessive scale or in the case of the smaller rear dormer poorly proportioned, however, officers do not share this view. The dormers have been reduced in scale, with the second-floor rear dormer omitted from the proposed side extension. The dormers are considered to appear proportionate to the host dwelling and the roofslopes they serve. Furthermore, their design, including the ridge detailing and the use of tile hanging particularly to the front dormer, ensures that they remain subservient features. On balance, officers consider that the dormers within the proposed extension would preserve the character and appearance of the host dwelling and the Conservation Area, and therefore the concerns raised in this respect are not supported. In relation to the proposed second floor Juliet dormer within the dwelling's main rear roofslope, this would be set in from all planes of the roofslope and as above has also been reduced in scale with its roof form amended to a hipped roof reducing its perceivable bulk and massing. Owing to its limited scale and set in, it is considered that this dormer would read as a subordinate addition to the host dwelling and would preserve the character of the Conservation Area.
- 8.2.12 With regard to the proposed rooflights, the Conservation Officer maintains an objection to this element. However, officers consider that the amendments made to the scheme have satisfactorily addressed the concerns raised. In particular the number of rooflights has been reduced, with only a single rooflight proposed within the front roofslope of the side extension. Whilst additional rooflights are proposed within the side and rear roofslopes of both the main dwelling and extension, these are considered to be proportionate in number and scale to the roofslopes they serve. Furthermore, the rooflights are of a conservation style design, which is considered to be more appropriate within the Conservation Area. Officers also note that there are existing examples of rooflights both front and rear within the surrounding Conservation Area, demonstrating that such features would not appear unduly out of character in this context. In addition, the Conservation Officer has identified the front elevation as making a positive contribution to the significance of the Conservation Area, only a single modestly scaled rooflight is proposed to this elevation. Therefore, on balance, officers do not consider that the inclusion or siting of the proposed rooflights would

result in demonstrable harm to the character or appearance of the host dwelling and would on balance preserve the character of the Conservation Area.

- 8.2.13 The replacement of the existing windows with timber windows which incorporate Georgian bars and fanlights are considered to represent an enhancement to the Conservation Area. The proposed windows would better reflect the traditional character and appearance of the dwelling and would restore a degree of its architectural detail that would be more in keeping with its historic context. Similarly, the restoration of the stained-glass panels within the principal entrance door is welcomed and would enhance the building's character and appearance from the streetscene. The introduction of the porthole window within the front gable is also considered acceptable and would provide an additional architectural feature that is sympathetic to the design of the host dwelling and would add visual interest without appearing incongruous or detracting from the existing character of the dwelling. The replacement windows within the existing single storey side projection adjacent to The Grange are considered to reflect the scale and proportions of the existing fenestrations and on balance are not considered to result in any demonstrable harm to the character or appearance of the host dwelling, streetscene or Conservation Area.
- 8.2.14 The proposed decking would be positioned at ground level, replacing an existing area of decking and would therefore not introduce a prominent or incongruous feature within the site. Owing to its low-level form and location to the rear of the property, it would not be readily visible within the public realm. As such, officers do not consider that the proposal would result in harm to the character or appearance of the host dwelling or wider streetscene and would preserve the character of the Conservation Area.
- 8.2.15 In summary, the proposed development would not result in any adverse harm to the character or appearance of the host dwelling or wider streetscene and would preserve the character of the Upper Nightingale Road Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), Policy BW CC1 and BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version, November 2023) and the Upper Nightingale Road Conservation Area Appraisal (2007).

8.3 Impact on amenity of neighbours

- 8.3.1 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'.
- 8.3.2 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.
- 8.3.3 The proposed single storey rear extension partially replaces an existing ground floor projection. The total depth of the extension at 4m would comply with the design criteria at appendix 2 of the DMP LDD, and with regards to its scale it would not project beyond the flank walls of the original dwelling, thereby remaining set off the boundaries with The Grange by approximately 3.6m and No. 73 Nightingale Road by approximately 5.7m. The rear projection has a flat parapet roof, remaining single storey in nature and set down from the cill height of the first-floor fenestrations. This element is not considered to result in an overbearing form of development or harmful loss of light to the residential amenities of any neighbouring occupiers. Fenestrations are proposed within the rear and flank of this extension, however owing to the siting at ground level and the intervening boundary treatments it is not considered that these would facilitate unacceptable overlooking of any neighbour. The rooflight within the flat parapet roof would not afford views of any neighbouring dwelling given its siting and that it would sit flush within the roof.

- 8.3.4 The proposed two storey side extension would replace an existing two storey side extension, which is currently built up to the shared boundary with No. 73. The proposal would introduce a separation distance of approximately 1m at its closest point to the boundary, increasing to approximately 1.1m. While this falls short of the Council's recommended separation distances as set out at Appendix 2 of the DMP LDD, it would introduce a degree of spacing that does not currently exist.
- 8.3.5 It is acknowledged that the neighbouring occupier of No. 73 has raised concerns regarding the impact of the extension, particularly its additional rearward projection compared with the existing extension. However, whilst the proposed extension would project further to the rear than the existing, it would not extend beyond the existing rear building line of the host dwelling. Furthermore, the extension incorporates a Dutch hip roof design, set approximately 1.45m below the main ridge which would assist in reducing its visual prominence.
- 8.3.6 Officers acknowledge that the proposal would introduce an increased sense of bulk and massing when viewed from the neighbouring property. However, having regard to the separation from the shared boundary, the set down from the ridge height, the roof design, and the position west of the application site, it is not considered that the extension would appear unduly overbearing or result in a harmful loss of light to the amenity of the occupiers of No. 73. When assessed from points on the shared boundary level with the front and rear building line of this neighbour there would be no intrusion from the 45 degree line.
- 8.3.7 During the course of the application, officers undertook a site visit to No. 73 and acknowledge that the path running alongside the dwelling provides a principal route of access to the rear amenity space and it is accepted that the outlook from this route would inevitably change as a result of the proposal through the introduction of additional bulk and mass. However, whilst this impact is acknowledged, it is not considered that the resultant change would give rise to an unacceptable sense of enclosure or overbearing impact, having regard to the scale and design of the extension.
- 8.3.8 It is also acknowledged that the outlook from the first-floor side window of No. 73 would change as a consequence of the increase bulk and massing of the proposal. However, it is noted that this window is partially obscurely glazed, which limits the extent of views currently afforded from this opening. Furthermore, the window is set approximately some 5m from the shared boundary. Whilst the proposal would introduce additional built form within the outlook from this window, and officers acknowledge there would be a perceptible change, it is not considered that the resulting outlook would be so overbearing as to give rise to a harmful impact on the living conditions of the occupiers of this neighbouring dwelling such to justify a refusal of planning permission.
- 8.3.9 It is noted that concerns have been raised regard the proposed dormer windows sited in the front and rear elevation of the proposed side extension at first floor level and the dormer within the main rear roofslope at the second-floor level which includes a Juliet balcony. With regards to the dormer in the first-floor front elevation of the proposed side extension, this would project slightly forward of the front building line of No. 73. However, any views from this window would predominantly be across the application site frontage and adjacent highway. As such, it is not considered that the proposal would result in any additional overlooking of this neighbouring dwelling beyond that already afforded by the existing first floor windows which have a similar outlook.
- 8.3.10 Similarly, with regards to the dormer in the first-floor rear elevation of the proposed side extension, this would remain set back from the rear building line of the neighbouring property. Views from this window would largely be directed over the application site's rear amenity space. Although the dormer would be positioned closer to the shared boundary with this neighbour and may therefore afford some outlook, it is not considered that any overlooking would result in harm beyond that associated with the existing first floor windows.

- 8.3.11 With regard to the dormer within the main rear roofslope serving the second-floor accommodation, while this incorporates a Juliet balcony and therefore increases the perception of overlooking, its scale remains fully subordinate to the roofslope. It is also set a considerable distance from the shared boundaries with The Grange and No. 73 Nightingale Road. Whilst it would provide additional outlook from the second-floor level that does not currently exist, it is not considered that resulting views would give rise to harmful levels of overlooking or an unacceptable loss of privacy to neighbouring occupiers such to justify a refusal in this regard.
- 8.3.12 Within the side elevation of the extension facing the boundary with No. 73 Nightingale Road two windows are proposed at the first-floor level. These windows would serve non habitable accommodation (hallway and bathroom), and the submitted elevations indicate that these would be obscure glazed below 1.7m. Whilst concerns are acknowledged regarding the introduction of the two windows, should permission be granted, a condition would be imposed requiring these windows to be fitted with obscure glazing. Any clear glazed fanlight would be set at a minimum of 1.7m above the finished floor level. Officers also acknowledge that the neighbouring dwelling has an existing window within the first-floor side elevation and therefore the concerns are noted. It is acknowledged that the perception of overlooking would increase through the introduction of these windows, however the proposed obscured glazing would prevent harmful overlooking and would ensure that the proposal would not result in an unacceptable loss of privacy to these neighbouring occupiers subject to condition.
- 8.3.13 With regards to the three rooflights within the flank roofscopes facing No.73, all would appear to serve non-habitable rooms at the second-floor level. The two positioned in the main roofslope of the dwelling would be set further from the shared boundary with this neighbour and would serve a dressing room and en-suite to the primary bedroom. The other would sit within the Dutch hip of the proposed side extension and would serve another en-suite. From the submitted section drawing it is understood that the rooflight closest to the boundary with this neighbouring dwelling would be set 1.7m above the finished floor level. Whilst officers acknowledge that the introduction of these rooflights may increase the perception of overlooking, on balance, it is not considered that afforded views would give rise to a significant loss of privacy. This is particularly the case with the two which are positioned within the main portion of the roofslope and would be set further from the shared boundary.
- 8.3.14 Three rooflights are proposed within the rear elevation (*two serving a bedroom and one serving a hallway at the second floor*) and one rooflight is proposed within the front elevation (*serving a study at the second-floor level*) of the proposed two storey side extension. It is acknowledged that the front and rear rooflights do not appear to have cill heights of at least 1.7m above the finished floor level of the rooms they serve, owing to the angle of the roofslope. As such, they would afford outward views. However, given their positioning within the front and rear roofslope, views would predominantly be across the application site's frontage and rear amenity space. Whilst officers acknowledge that the proposal may increase the perception of overlooking, it is not considered that the resulting views would give rise to a harmful loss of privacy to neighbouring occupiers to such an extent as to warrant a refusal of planning permission.
- 8.3.15 Within the first-floor side elevation facing The Grange it is noted that one new window is proposed. This window would serve the en-suite to bedroom two and the plans indicate that this would be fitted with obscure glazing below 1.7m. In the event permission were to be granted the flank windows serving this en-suite and bed 2 would be conditioned to be obscurely glazed below 1.7m to prevent unacceptable overlooking of these neighbours. It is also noted that two rooflights are proposed within the flank roofslope facing these neighbours. The rooflights would serve the primary bed at the second-floor level, however, based on the submitted section drawing they would be sited above 1.7m from the finished floor level of the room they serve, therefore based on the siting of the rooflights and separation retained between the flank of the host dwelling and rear elevation of these

properties at The Grange it is not considered that these would result in unacceptable or harmful levels of overlooking such to justify a refusal in this regard.

- 8.3.16 Within the existing single storey side projection adjacent to the grange the existing flank windows would be closed up and new fenestrations proposed within the front and rear elevation. These would replace existing fenestrations and views would be afforded over the private rear amenity space and site frontage of the application site and thus their replacement is not considered to result in additional or unacceptable levels of overlooking particularly given that they are sited at ground floor level. As above, the rooflights proposed within the existing roofslope of this projection would sit flush within the roof and would not afford views of any neighbouring dwelling.
- 8.3.17 In addition to those fenestrations proposed within the extended parts, the remaining windows within the host dwelling are proposed to be replaced with timber windows which include Georgian bar fanlight detail. The replacement windows within the host dwelling would be fitted within the same openings as the existing and thus are not considered to result in any demonstrable harm to the amenities of any neighbouring dwelling, nor are they considered to facilitate additional overlooking beyond that of the existing openings.
- 8.3.18 The proposed area of decking is sited to the rear of the dwelling and would remain set off the boundaries with both neighbouring dwellings. The decking would remain at the ground level and thus is not considered to result in any harm to the residential amenities of any neighbouring dwelling, nor is it considered to result in additional overlooking.
- 8.3.19 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.

8.4 Wildlife considerations

- 8.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 8.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
- 8.4.3 A Biodiversity Checklist was submitted with the application and states that Bats may be affected as a result of the application. The application is accompanied by a Preliminary Roost Assessment (PRA) and Construction Method Statement (CMS) carried out by Resurgence Biomonitoring [report number: RBM_0390] dated 18 December 2025.
- 8.4.4 The PRA sets out that historical records confirm the presence of 6 bat species within the 1km buffer around the site. No evidence of bat activity was found on any of the external surfaces. No bat droppings were present within the loft spaces. The PRA concludes that although limited PRFs were noted on the exterior of the roof, the absence of any signs of bats on the exterior surfaces or within the interior loft spaces contributed to the negligible roost potential classification. A small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion. To accommodate the remaining uncertainty the PRA recommends that construction be managed by means of a CMS but

that based on absence of evidence of bats from external and internal loft spaces no further bat surveys are recommended.

- 8.4.5 The submitted CMS sets out proposed mitigation measures and emergency protocol if bats are discovered during construction. Hertfordshire County Councils Ecology Department were consulted on the above application; however no formal comments have been received at the time of writing. Based on the conclusions from the PRA the proposal is considered acceptable in this regard. In the event permission were to be granted a condition will be added to ensure that construction works are compliant with the submitted CMS. The applicant is reminded that if bats are found all works must stop immediately and advice sought as to how to proceed from a qualified ecologist.

8.5 Mandatory Biodiversity Net Gain

- 8.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).
- 8.5.2 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.
- 8.5.3 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.

8.6 Trees and Landscaping

- 8.6.1 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.
- 8.6.2 The application site is located within the Upper Nightingale Road Conservation Area, all trees are therefore afforded protection by virtue of this designation. There is also a Magnolia Tree [T1] within the site frontage protected by an individual Tree Preservation Order [TPO608] and a group of two sycamore and 1 pine tree [G2] protected by TPO244 which runs adjacent to the rear boundary of the application site but would appear to be within the boundary of No. 65 to the rear of the site.
- 8.6.3 The application is accompanied by a Construction Tree Protection Statement prepared by Jack Dusek & Co dated April 2026, as well as drawing 715-PS-3C (Tree Protection Plan). The Statement identifies two notable trees within the front garden T1 [Magnolia] which as above is protected and T2 [Purple Leaf Plum] not subject of a TPO but officers would note would be protected by virtue of the Conservation Area designation, nonetheless the statement concludes that this tree is treated as protected for construction management purposes.
- 8.6.4 Trees within the rear garden have not been numbered, however, the statement identifies that the applicants' commitments apply to all retained trees on site whether individually numbered on the tree protection plan or not. The statement sets out that no construction

works are proposed within the front garden and T1 and T2 remain outside of the construction zone. Within the rear, the single storey rear extension presents new built form, the statement sets out that the portion of the rear extension closest to trees will be constructed on the footprint of the existing rear patio which is currently a sealed surface of paving slabs on a compacted subbase. The applicant estimates that the new construction footprint of the single storey rear extension encroaches on approximately 1.5% of the calculated RPA of adjacent trees and concludes this would be a minor encroachment. It is further noted that the encroachment falls entirely within the existing rear patio.

8.6.5 With regards to Tree Protection, the statement sets out that BS 5837 compliant protective fencing [HERAS type welded mesh panels on a robust frame] will be erected around the trunks of T1 and T2 and around all retained trees in the rear garden before any demolition or construction works take place. No materials, plant or spoil will be stored inside the line of protective fencing of any tree and no excavation works are proposed within the RPA of any retained tree beyond the like for like replacement of the existing patio.

8.7 The Landscape Officer has reviewed the submission and advised that the submitted tree protection method statement and plan are sufficient. A condition should be applied that requires the method statement to be followed during construction. Therefore, in the event permission were to be granted a condition would be attached requiring that the tree protection methods are followed during demolition and construction works.

8.8 Rear amenity

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

8.8.2 The proposal would increase the number of bedrooms within the dwelling by one, resulting in a six-bedroom dwelling. Appendix 2 of the DMP LDD sets out that six-bedroom dwellings require 147sqm of rear amenity space. The application site would retain in excess of 500sqm of rear amenity space which exceeds the requirement above. The proposal is therefore considered acceptable in this regard.

8.9 Highways, Access and Parking

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

8.9.2 The host dwelling has five bedrooms as existing (*including the one bedroom above the garage*) and therefore requires 3 assigned spaces within the dwelling's curtilage. The proposal would increase the number of bedrooms within the dwelling by one resulting in a six-bedroom dwelling (*including the proposed annexe within the side extension*).

8.9.3 Whilst the number of bedrooms would increase the overall requirement for parking would remain the same as existing. The application site has an existing carriage driveway with off street parking provision for three vehicles which complies with the criteria at Appendix 5. The existing parking provision would be unaffected by the proposed development, and the proposal is therefore considered acceptable in this regard.

9 **Recommendation**

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

- C1 Those parts of the development hereby permitted that have not yet been carried out shall be begun before the expiration of 3 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: 715/PS/1, 715/PS/2, 715/PS/0 REV A, 715/PS/4C REV D, 715/PS/4C REV D, 715/PS/5C REV C, 715/PS/5C REV C, 715/PS/3C REV C, 715/PS/6, 715/PS/7

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, DM3, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013), Policy BW GB1, BW CC1 and BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version, November 2023) and the Upper Nightingale Road Conservation Area Appraisal (2007).

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

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

- C4 Before the first occupation of the building/extension hereby permitted the window(s) in first floor side elevations facing No. 73 Nightingale Road and The Grange shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

- C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first-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 Prior to commencement of development and before any equipment, machinery or materials are brought on to the site for the purposes of development hereby permitted, tree protection measures, including fencing shall be undertaken in full accordance with as set out within the submitted Construction Tree Protection Statement dated April 2026 prepared by Jack Dusek & Co and as indicated on the accompanying drawing 715/PS/3C, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: No development shall take place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C7 The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out within the submitted Construction Method Statement dated 18 December 2025, prepared by Resurgence Biomonitoring. All working and ecological mitigation measures shall be implemented in full for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that appropriate measures are implemented to safeguard protected species and maintain and enhance wildlife habitats during the construction phase of the development, in the interests of biodiversity and to accord with Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C8 The annexe hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, or ancillary to, the residential dwelling located on the site, and it shall not be used as an independent dwelling or for commercial purposes at any time.

Reason: The creation and use of a separate and independent unit would not comply with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

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

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

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

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

(a) Making a Non-Material Amendment

(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>.

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

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

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

- 17 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.