

Reference No: 5/25/1883

Valid Date: 04/12/2025

End of Stat Period Date: 28/01/2026

Case Officer: William Durston

Report Written Date: 27/01/2026

Applicant: Mrs K Lyes

Proposal: Proposed single storey rear extension to provide essential Wet room accessible facilities for a disabled resident

Site Address: 4 Rothamsted View Harpenden Hertfordshire

Ward: Harpenden West

Parish: HARPENDEN TOWN

Constraints:

Source Protection Zones
Neighbourhood Plan Areas
Metropolitan Green Belt
Met Office 2
Met Office 1
LEADS Ecology
Harpenden Health PCN
Conservation Area

BACKGROUND

Site / Surroundings: No.4 is a detached bungalow situated on the north side of Rothamsted View. The building is situated within both the Metropolitan Green Belt and the Harpenden Conservation Area.

Proposal: Single storey rear extension.

Relevant Planning History:

Application Site

5/2022/1814 - Removal of existing outbuildings and erection of five bungalows with associated hard and soft landscaping and alterations to access (amendment to planning permission 5/2021/3503 dated 17/06/2022). DC3 Conditional Permission. Decision Date: 14/12/2022.

PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

The development plan is the St Albans District Local Plan Review 1994 and the Harpenden Neighbourhood Plan 2018 – 2033.

The Local Plan was submitted, on 29th November 2024, to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Local Plan generally has limited weight in decision making at this time. The emerging policies have been considered but have limited weight in relation to the assessment of this application.

The National Planning Policy Framework is also a material consideration.

Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraphs 231 and 232 of the NPPF reads as follows:

The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made.

However, 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 closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The degree of consistency of the Local Plan policies with the framework will be referenced within the discussion section of the report where relevant.

National Planning Policy Framework

St. Albans District Local Plan Review 1994:

- POLICY 1 Metropolitan Green Belt
- POLICY 13 Extension or Replacement of Dwellings in the Green Belt
- POLICY 39 Parking Standards, General Requirements
- POLICY 40 Residential Development Parking Standards
- POLICY 69 General Design and Layout
- POLICY 72 Extensions in Residential Areas
- POLICY 85 Development in Conservation Areas

Harpenden Neighbourhood Plan 2018 - 2033:

- POLICY ESD1 Design Strategy
- POLICY ESD2 Local Character and Heritage
- POLICY ESD15 Sustainability and Energy Efficiency

Supplementary planning Guidance/Documents

SPG – Residential extensions and replacement dwellings in the Green Belt (2004)

Revised Parking Policies and Standards 2002

REPRESENTATIONS

Publicity: 11/12/2025

Expiry Date: 03/01/2026

Notifications: Neighbour letters were sent to three addresses in accordance with the Council's published Statement of Community Involvement.

At the time of writing this report, no representations have been received.

Town / Parish Council: Harpenden Town Council were notified to the proposal. At the time of writing this report, no response has been received.

Consultations: N/A.

DISCUSSION

Main Issues:

Metropolitan Green Belt

The application site is within the Metropolitan Green Belt where there is strict control over the amount a dwelling can be extended.

Paragraph 154 of The National Planning Policy Framework 2024 (NPPF) permits the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policies 1 and 13 of the St. Albans District Local Plan Review (1994), gives advice in regards to extending within the Green Belt. Policy 13 states "*Extensions to houses in the Green Belt including garages or outbuildings may be permitted unless the scale or visual impact upon the building as originally constructed (or as existing 1 July 1948 if constructed before that date), would create a building of significantly larger or different character*".

In 2004 the council produced a Supplementary Planning Guidance (SPG) relating to extensions and replacement dwellings within the Green Belt. The SPG sets out criteria for Green Belt extensions to be assessed against. The criteria for assessment include size and type of extension, extensions within the gap between dwellings, landscape and tree preservation and finally conservation areas and listed buildings. Depending on how well the proposed development performs in relation to the criteria, will determine the size of the extension that will be permitted. The guidance on sizes ranges from 90m³ up to 180m³ and between 20% to 40% increase in floor space (whichever is the greater).

(i) Size of Extensions

Floorspace (approx.)	m²
Original	130.52
Previous extension	N/A.
Proposed extension	5.87
Total floorspace	136.39
Total increase in floorspace (%)	4%

Volume (approx.)	m³
Total increase in volume (including previous extensions)	16.89

The SPG, in paragraph 7.1 (i), sets out a table with guidance on size ranges for rear extensions. It advises that extensions involving increases in cubic content of between 90m³ and 180m³ may be acceptable, whilst the percentage increases in floorspace that can be acceptable are between 20% and 40%.

The SPG sets out other criteria against which proposals should be assessed and their performance against these criteria will depend on whether the size of extension permitted should be below, towards the bottom, towards the top or above the top of the ranges, as set out in Table 1.

(ii) Previous Extensions

Planning history indicates that the property has not been extended beyond its original form. Given this, the proposal is considered to perform **very well** against this criterion.

(iii) Type of Extension

The application proposes a single-storey rear extension, partly infilling a gap created by the bungalows 'L' shaped footprint. Extensions of this nature are described in the SPG as "*Generally viewed more favourably than side or front extension*". As a result, the proposal is considered to perform **very well** against this criteria.

(iv) Visibility from Public Viewpoints

The proposed rear extension would not be visible from Rothamsted View. The scheme performs **very well** against this criterion.

(v) Extensions in Gaps Between Dwellings

The proposed rear extension would not extend into a valuable gap between adjacent dwellings. The proposal performs **very well** against this criterion.

(vi) Policy 72 Constraints

Policy 72 of the St. Albans District Local Plan Review (1994) outlines a number of criteria that apply to residential extensions within the Green Belt. Compliance with Policy 72 shall be assessed in the main discussion below. Notwithstanding this, the proposal performs **well** against this criterion.

(vii) Landscaping and Tree Preservation

The proposal would be located in an area that does not benefit from any significant landscaping features. Therefore this criterion is not applicable.

(viii) Conservation Area and Listed Buildings

The property is located in the Harpenden Conservation Area. Compliance with Policy 85 shall be assessed in the main discussion below. Notwithstanding this, the proposal performs **well** against this criterion.

SPG Green Belt Assessment Conclusions

Overall, the proposal performs **very well against (ii) to (viii) of the SPG** and in accordance with Table 1 the size of the extension that would be permitted, figures at or close to the top of the ranges in Table 2 should normally be considered. The proposed extension would result in an increase in floorspace of approximately 4% compared with the original and a cumulative volume increase of around 16.89 cubic metres.

As a result, the proposal would not result in a disproportionate addition over or above the size of the original building, and is considered acceptable development in the Green Belt. In consideration of the above, the proposal is considered acceptable and would comply with Policy 1 and Policy 13 of the St Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

Character and Appearance: (Policy 69, Policy 72, Policy 85 and NPPF)	
Is the proposed development of an appropriate scale, character and appearance in relation to the original dwelling?	Yes
Is the development appropriate to the original building in terms of the architectural style, roof form, windows, detailing and materials?	Yes
Is there adequate space around the original building so as to not seriously diminish the private space, including car parking and garaging?	Yes
Is there a harmful cumulative effect?	No
Is there 1m (or more) to the side boundary above ground floor level in areas where a cumulative effect would lead to terracing of detached or semi-detached houses?	Yes
Is the impact on trees and landscaping satisfactory?	Yes
<p>The extension would be visually in-keeping with the existing dwellinghouse and situated at the rear of the property. It is considered that the proposal would not adversely impact the character of the surrounding area or harm the visual amenity of the Harpenden Conservation Area. The proposal complies with Policies 69 (General Design and Layout), 72 (Extensions in Residential areas) and 85 (Development in Conservation Areas) of the St Albans District Local Plan Review 1994 and the NPPF.</p>	

Residential Amenity: (Policy 72 and NPPF)	
Does a single storey rear extension extend more than 3m along a party boundary?	No
Would the proposed development be in accordance with the 45/25 degree Building Research Establishment (BRE) guidance?	Yes
Would the proposed development result in a loss of privacy to neighbouring residents?	No
Would the proposed development retain sufficient separation distance to developments at the rear of the site?	Yes
Is sufficient garden space retained for the original dwelling?	Yes
<p>Owing to the scale of the proposal and its relationship with neighbouring properties it is not considered that the rear extension would unacceptably impact the amenity of adjoining neighbours. There are no new windows proposed that would harmfully impact neighbouring privacy levels.</p> <p>Overall, it is not considered that the light, privacy, or amenity of any neighbouring property will be unacceptably harmed by the proposed development. The proposal is therefore compliant with the aims of Policy 72 St Albans District Local Plan 1994 and the National</p>	

Planning Policy Framework.

Car Parking Provision and Highway Safety: (Policy 39, Policy 40 and Revised Parking Policies and Standards (2002))

Is there sufficient off street parking to meet the parking demands associated with the proposed development?

Yes

Would the proposed development result in any changes of access, or alteration to the public highway?

No

The proposal is considered to comply with the aims of Policy 39 (Parking Standards, General Requirements) and 40 (Residential Parking Standards) of the Local Plan.

Biodiversity Net Gain:

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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always 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 one or more of the statutory exemptions or transitional arrangements are considered to apply.

Sustainability:

The Sustainability Statement included with this application appears to demonstrate the proposal complying with the relevant policies of the Harpenden Neighbourhood Plan 2018 – 2033.

Comment on Town / Parish Council / District Councillor / Concern(s): N/A.

REASONS FOR GRANT

To include justification for recommendation and relevant development plan policies

The proposed development is considered acceptable. The proposal would be appropriate development in the Metropolitan Green Belt and would not have an adverse impact on the openness of the Metropolitan Green Belt. It would be compatible with the character and appearance of the original building, the street scene and the Harpenden Conservation Area. There would be no adverse impact on the amenities of the occupiers of neighbouring properties. There is no requirement for additional car parking. The proposal is in accordance with Policy 1 (Metropolitan Green Belt), Policy 13 (Extension or Replacement of Dwellings in The Metropolitan Green Belt), Policy 39 (Parking Standards, General Requirements), policy 40 (Residential Development Parking Standards), Policy 69 (General Design and Layout), Policy 72 (Extensions in Residential Areas) and Policy 85 (Development in Conservation Areas) of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024. The proposal is also in accordance with the Harpenden Neighbourhood Plan 2018 - 2033.

EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to Articles 1, 6, 8, 9, 10 and 14 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.

The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

It is considered that the decision has had regard to this duty. The development would not conflict with either St Albans City and District Council's Equality Policy and would support the Council in meeting its statutory equality responsibilities.

RECOMMENDATION: Conditional Permission **Decision Code:** A1

Conditions/Reasons

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

Condition

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: RV-02 Rev. A, Site Location Plan and Block Plan.**

Reason

For the avoidance of doubt and in the interests of proper planning.

Condition

- 3. The external surfaces of the development hereby permitted shall be constructed only of materials, the type and colour of which match exactly those of the existing building, unless otherwise stated on the approved plans or application form.**

Reason

To ensure that the finished appearance of the building is satisfactory. To comply with Policies 69, 72 and 85 of the St. Albans District Local Plan Review 1994.

Biodiversity Gain Condition

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in

England is deemed to have been granted subject to the condition (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 St Albans City and District Council.

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

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 one or more of the statutory exemptions or transitional arrangements in the list below is/are 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

Informative(s):

1. This determination was based on the following drawings and information: RV-01 Rev. A, RV-02 Rev. A, Site Location Plan, Block Plan and Harpenden Neighbourhood Plan Statement received 13/10/2025, 24/11/2025, 03/12/2025 and 26/01/2026.

The Local Planning Authority has been positive and proactive in its consideration of this planning application. The development improves the economic, social and environmental conditions of the District.

The applicant is requested to ensure no damage is caused to the footpath and highway verge during the course of the development. Any damage should be repaired to the satisfaction of Hertfordshire Highways.

The applicant's attention is drawn to the Party Wall Etc. Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

The applicant is advised that this application was accompanied by a Certificate stating that the applicant was the owner of all the land shown within the application site and therefore, this decision notice is issued on the understanding that no part of the development extends beyond the curtilage of the application premises.

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Remember - you are responsible for the legal and safe disposal of any waste associated with your project. In the event of your waste being fly tipped or otherwise disposed of illegally or irresponsibly, you could be held liable and face prosecution. If you give waste to anyone else ensure they are authorised to carry it. Ask for their carrier's authorisation. You can

check online at <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers> or by telephone 03708 506 506.

When carrying out these works please give utmost consideration to the impact during construction on the environment, neighbours and the public. Think about using a company to carry out the works who are registered under the Considerate Constructors Scheme. This commits those registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

2. Biodiversity Gain Informative

If permission is granted to proceed in phases:

If 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 (Phase Plans).

Irreplaceable habitat:

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.

The effect of section 73D of the Town and Country Planning Act 1990:

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition:

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 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.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

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

PLAN NO'S:

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Officer William Durston

Section 65 Parties

Plans on website http://planning.stalbans.gov.uk/Planning/lq/GFPlanningSearch.page?org.apache.shale.dialog.DIALOG_NAME=gfplanningsearch&Param=lq.Planning

Author: William Durston

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